



REGIONAL SEMINAR
DELIVERY OF BOOKS AND NEWSPAPERS (Public Libraries) ACT, 1954

24 JANUARY 2006
WORLD UNIVERSITY SERVICE CENTRE, CHENNAI

SEMINAR PAPERS

Organized by

NATIONAL LIBRARY, KOLKATA
DIRECTOR OF PUBLIC LIBRARIES, CHENNAI
MADRAS LIBRARY ASSOCIATION, CHENNAI

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SCHEDULE

24 JANUARY 2006
WORLD UNIVERSITY SERVICE CENTRE, CHENNAI

8.30 -9.30 a.m	-	**Registration**
9.30-10 30	-	**Inauguration**
10.30-11.00	-	**TEA**
11.00-11.10	-	National Library of India S.Mandal
11.10-11.20	-	Public Libraries Department: an overview P.Kulasekaran
11.20-11.30	-	The Delivery of Books Act & Tamil Books R.Muthukumaraswamy
1130-11.40	-	The Delivery Of Books And Newspapers Act ((1954): a review A.Amudhavalli & N.Avadaiappan
11.40-11.50	-	Look into the Working of the Press & Registration of Books Act, 1867 in Andhra Pradesh A.A.N.Raju
11.50-12.00	-	The Delivery of Books and Newspapers Act ((1954) in Kerala *M.Sukumaran Nair*
12.00-12.10	-	The Delivery of Books and Newspapers Act ((1954) with special reference to Delhi Public Library Banwari Lal
12.10-12.20	-	The 50 Years of the Delivery of Books and Newspapers Act *(1954)* R.Ramachandran
12.20-12.30	-	The Delivery of Books and Newspapers (PUBLIC LIBRARIES) ACT, 1954 Evolution & Evaluation A.V.N.Raju
12.30-12.40	-	Legal Deposit of Publications in the UK V.Bhuvaneshwari
12.40-1.00	-	Interaction

1.00-2.30	-	**LUNCH**
2.30-4.00	-	Panel Discussion
4.00-4.30	-	Resolutions
4.30-5.00	-	Validiction

5.00-TEA

LIST OF CONTRIBUTORS

Amudhavalli, A	**Professor, Department of Information Science, University of Madras & President, MALA, Chennai**
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CONTENTS

THE DELIVERY OF BOOKS AND NEWSPAPERS (PUBLIC LIBRARIES) ACT, 1954

(The delivery of books (Public Libraries) Act 1954: No 27 of 1954, as amended by the Delivery of Books (Public Libraries) Amendment Act, 1956: No 99 of 1956)

An act to provide for delivery of books to the National Library, Calcutta, and other public libraries.

Be it enacted by Parliament in the fifth year of the Republic of India as follows:-

1. Short title and extent- (1) This act may be called the Delivery of Books and Newspaper (Public Libraries) Act, 1954.

    (2) It extends to the whole of India except the State of Jammu and Kashmir.

2. Definitions- In this Act, unless the context otherwise requires-

    (a) "book" includes every volume part or division of a volume and pamphlet, in any language, and every sheet of music, map, chart or plan separately printed or lithographed, but does not include a newspaper published in conformity with the provisions of Section 5 of the Press and Registration of Books Act, 1867 (XXV of 1867);"

    "(aa) newspaper means any printed periodical work containing public news or comments on public news published in conformity with the provisions of Section 5 of the Press and Registration of Books Act, 1867;"

(b) "public libraries" means the National Library at Calcutta and any three other libraries which may be specified by the Central government in this behalf by notification in the Official Gazette.

5. Delivery of books to public libraries – (1) subject to any rules that may be made under this Act, but without prejudice to the provisions contains in Section 9 of the Press and Registration of Books Act, 1867 (XXV of 1867), the publisher of every book published in the territories to which this Act extends after the commencement of this Act, shall, not withstanding any agreement to the contrary, deliver at his own expense a copy of the book to the National Library at Calcutta and one such copy to each of the other three public libraries within thirty days from the date of its publication.

(2) The copy delivered to the National Library shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the same, and shall be bound, sewed or stitched together, and on the best paper on which any copy of the book is printed.

(3) The copy delivered to any other public library shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.

"3A. Delivery of newspapers to public libraries – Subject to any rules that may be made under this Act, but without prejudice to the provisions contained in the Press and Registration of Books Act, 1867, the publisher of every newspaper, published in the territories to which this Act extends shall deliver at his own expense one copy of each issue of such newspaper as soon as it is published to each such public library as may be notified in this behalf by the Central Government in the Official Gazette".

(4) Nothing contained in sub-section (1) Shall apply to any second or subsequent edition of a book in which edition no additions or alterations either in the letter-press or in

the maps, book prints or other engravings belonging to the book have been made, and a copy of the first or some preceding edition of which book has been delivered under this Act.

4. Receipt for books delivered-The person in charge of a public library (whether called a librarian or by any other name) or any other person authorized by him in this behalf to whom a copy of a book is delivered under section 3 shall give to the publisher a receipt in writing therefore.

5. Penalty-Any publisher who contravense any provision of this Act or any rule made there under shall be punishable with fine which may extend to fifty rupees and " if the contravention is in respect of a book; shall also be punishable with fine which shall be equivalent to" the value of the book and the court trying the offence may direct that the whole or any part of the fine realised from him shall be paid by way of compensation, the public library to which the book or " newspaper" as the case may be ought to have been delivered.

6. Cognizance of offences-(1) No court shall take cognizance of any offence punishable under this Act save on complaint made by an officer empowered in this behalf by the Central Government by a general or special order.

(2) No court inferior to that of a presidency magistrate or a magistrate of the first class shall try any offence punishable under this Act.

7. Application of Act to books and newspapers published by Government.- "This Act shall also apply to books and newspapers published by or under the authority of the Government but shall not apply to books meant for official use only".

8. Power to make rules-The Central Government may, by notification in the Official Gazette, makes rules to carry out the purposes or this Act.

GAZETTE OF INDIA, Pt. II Sec.3, dated 19-3-1955

MINISTRY OF EDUCATION

National Library, Calcutta

New Delhi, 11th march, 1955

S.R.O.587.-In exercise of the powers conferred by Section 8 of the Delivery of Books (Public Libraries) act, 1954 (27 of 1954), the Central Government hereby makes the following rules, namely:-

1. Short title-These rules may be called the Delivery of Books (Public Libraries) rules, 1955.

2. Definitions-In these rules, unless the context otherwise requires:-

   (a) "the Act" mean the Delivery of Books (Public Libraries) Act, 1954 (27 of 1954);

   (b) "Librarian", in relation to public library, means the person in charge of such public library, and includes any person authorized by him in this behalf to discharge all or any of the functions imposed on him by or under the Act;

   (c) "section" means section of the Act; and

   (d) all words and expressions used but no defined in these rules shall have the meanings respectively assigned to them in the Act.

3. *Mode of delivery-Subject to the provisions of section 3, a copy of every book published* by a publisher shall be delivered by him to the librarian of each public library either by registered post or through a special messenger and the librarian to whom the copy is so delivered shall forthwith acknowledge receipt thereof in the Form annexed thereto and send it to the publisher by registered post and such receipt shall be conclusive

proof of the fact that a copy of the book has been duly delivered to the ;public library of which he is the librarian.

4. Prosecution of a defaulting publisher – where a copy of the book published after the 20th day of May, 1954 has not been delivered to a public library within a period of thirty days from the date of its publication, the Officer empowered of under sub-section (1) of section 6 may at any time after the expiry of the said period make a complaint to the court against the publisher of such book for his failure to deliver a copy to the public library named in the complaint and such complaint shall be inquired into and tried by the court according to the procedure laid in the Code of Criminal Procedure, 1898 (Act V of 1898):

Provided that before a complaint is made to the court, a notice thereof may be given to the publisher by the librarian stating that he has failed to deliver a copy of such book within a period of thirty days of its publication and that if a copy is not delivered within a period of thirty days of the receipt of the notice he shall make himself liable to a penalty under section5.

5. Information regarding the correct date of publication:- The publisher of every book shall affix on the copy of the book delivered to every public library a stamp bearing the date of the publication of the book and specifying that "the copy delivered is pursuant to the Delivery of Books (Public Libraries) act, 1954".

6. Memoranda of books-The publisher of every book shall furnish to the librarian a statement containing (so far as may be practicable the following particulars, that is to say, -

(1) the title of the book and the contents of the title page, with a translation into English of such title and contents, when the same are not in the English languages;

(2) the language in which the book is written;

(3) the name of the author, translator or editor of the book or any part thereof;

(4) the subject;

(5) the place of printing and the place of publication;

(6) *the name of the firm of the printer and the name or firm of the publisher*;

(7) the date of issue from the press or of the publication;

(8) the number of sheets, leaves or pages;

(9) the size;

(10) the first, second or other number of the edition;

(11) the number of copies of which the edition consists;

(12) whether the book is printed or lithographed;

(13) the price at which the book is sold to the public; and

(14) the name and residence of the proprietor of the copyright or of any portion of such copyright.

National Library of India

S.Mandal

50 years ago on 20th May 1954 the Government of India passed the Delivery of Books (Public Libraries) Act, 1954. This was a landmark in the history of library services in India. Prior to the Independence of India, the National Library (then the Imperial Library) was offered the privilege to ask for any book, free of cost, received by the Bengal Government under the Press & Registration of Books Act, 1867. However, the Delivery of Books (Public Libraries) Act, 1954ensured a very good source for building a collection of the national cultural and intellectual heritage and an effective step forward for the nation's bibliographical control. This article throws some light on the Delivery of Books (Public Libraries) Act, 1954 and its operation by the National library during these fifty years.

'The Library is a growing organism' Dr. S.R. Ranganthan, the father of Library Science in India, enunciated it as the fifth law of Library Science. The Library grows continuously and it is evident form this fact that the National Library, which started its journey from an apartment of Dr. F. P. Strong in 1836, is now stepped into yet another massive building called the Bhasha Bhavan (the House of Languages) with over 40,000 sq. mt. carpet area, on 8th of October 2004. The Government of india through its Central Public Works Department (CPWD) constructed a gigantic building for the Library with fully air-conditioned; state-of-art technology and modern facilities to enable the National Library of India overcome the space problem for arranging it's huge collection and providing the desired services to its clientele and the scholars' community.

Belvedere with its magnificent surroundings and unparallel natural beauty is unique in the world, which is housing an institution like the National Library of India. Its beauty

and reading atmosphere have attracted scholars even beyond the territory of India. A brief sketch of Belvedere is given in this article along with some activities of the National Library of India and its employees.

The history of the legal deposit of books in India started with the enactment reports of the Registration of Books Act., 1867 hereinafter referred to as (P&R Act). The annual reports of the Imperial Library revealed that the said Library received publications under the P&R Act, 1867 through Calcutta Library. The National Library of India became a direct beneficiary of the P & R Act, 1867 and received one copy of each publication produced in India through an executive order of the Government of India, 1953-54. This privilege was replaced by the enactment of the Delivery of Books (Public Libraries) Act 1954 which came into force from 20th May 1954. The Act was amended in the year 1956 to cover the newspaper and serial publications. Among several provisions of the Act the following are noteworthy:

"…. The publisher of every book published in the territories to which this Act extends after commencement of this Act shall, not withstanding any agreement to the contrary, deliver at his own expense a copy of the book to the National Library at Calcutta and one such copy to each of the other three libraries within thirty days from the date of its publication."

"The copy delivered to the National Library shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and colored in the same manner as the best copies of the same, and shall be bound, sewed or stitched together, and the best paper on which any copy of the book is printed.

A. "… the publisher of publisher of every newspaper, published in the territories to which this Act extends, shall deliver at his own expense one copy of each issue of such

ıewspaper as soon as it is published to each pubic library as may be notified in these behalf ɔy the Central Government in the Official Gazette."

"Any publisher who contravenes any provision of this Act or of any rule made there under shall be punishable with fine"

The Act has made it obligatory on the part of every publisher in India to deposit, free of cost a copy of the publication with the National Library and three other public libraries namely Connemara Public Library, Chennai; Central Library, Town Hall, Mumbai and Delhi Public Library, Delhi within 30 days from the date of issue of the publication.

The Main objective of the Act is to institutionalize a system that helps the preservation of the country's cultural and intellectual heritage, embodied in readable materials, be they printed, lithographed or manuscript forms. While the past treasure cannot be collected by the application of such a law, all contemporary publications are sought to be trapped exhaustively without leaving any loopholes. It leaves no room for exercise of judgment on selection of material. The Act ensures total coverage, providing for compulsory deposit of publications to the National Library where they are stored and preserved for posterity. It is also fully consistent with the goals and objectives of the National Library of India. The law is in full conformity with similar laws/systems in force in many other countries.

It has been observed that not more than30 to 40% of publications in the country are delivered to the National Library under the D.B. Act. The other three libraries receive even less. The reasons for non-submission of books are many. Some publishers especially the new in the trade are not aware of the obligation. It is estimated that the number of registered publisher exceeds 11,000.But most of them are medium or small concerns. It is observed that more than 50% of the total number belongs to individual publishing concerns. Not more than 10% or so are member of any recognized association or guild of publishers. This

makes it difficult for the National Library to get information about their publication and make them aware of the legal deposit. It is also observed that the publishers do not find any incentive to submit a book because submission does not lead to increase sale of books.

In order give wide publicity to the D.B. Act and make it effective there has been a tradition of persuasion by the National Library, rather than compulsion in seeking compliance with the law. Towards this end, campaigns have been launched by the National Library by means of advertisement in newspapers, periodic discussion with publishers in book fairs, special seminars and of course, through correspondence. Several D.B. Act awareness programmes have been organized in different parts of the country, which resulted in significant increase in the number of deposits. The average receipt of publications in the National Library since the inception of the Act is broadly given below decade-wise:

Years	**1950s**	**1960 s**	**1970s**	**1980s**	**1990s**	**2000s**
Average Annual Receipts	26,000	19,000	18,000	16,000	16,000	20,000

Although the statistics denote gradual decline in the receipt till 1990s, yet the annual break up of receipt in the previous ten years show an upward trend in the following chart :

Year	**94-95**	**95-96**	**96-97**	**97-98**	**98-99**	**99-2k**	**2k-01**	**01-02**	**02-03**	**03-04**
Receipt	14525	14883	12504	13014	15922	20012	19951	18212	20309	21155

The delivery of Books (Public Libraries) act, 1954 has completed fifty years. The publishing scenario has changed to great extent with the advent of technology. New shapes of documents or dealing material have come to the market. The subject has been discussed and debated time and again in seminars and meetings. Under the changed situation, some

modifications in the provisions of the act have become essential. The National Library has offered some concrete suggestions, which are as follows:

1. The National Library of India being the principal repository of the country's cultural and intellectual heritage, available in various readable forms, should continue to receive a copy of every publication on every subject that is brought out in the country.

2. The three other designated pubic libraries may continue to receive a copy of every publication brought out in English and Hindi. In addition, they ought to be entitled to receive a copy of every publication brought out in the languages in use in the zone where they are situated. For this purpose, "zone may be clearly defined under the law;

3. There has been an enormous increase in the variety and number of publications brought out in various scientific and technological subjects in including very highly specialized subjects. A number of specialized national reference libraries has already been established such as the National Science Library, the National Medical Library, the National Agriculture Library and so on. It should be advisable to entitle these libraries to receive under the D.B. Act a copy each of such publications in their respective field of specialization. Consequently, the three designated public libraries may not receive any copy of publications on these subjects. However, the National Library should continue to receive a copy of every publication regardless of how specialized the subject may be.

4. The total number of copies of a publication required to be delivered by the publisher or printer, as the case may be free of cost under the D.B. Act and the Press & Registration of Books Act, 1867 may be kept limited to a maximum of five. As already mentioned, one copy should invariably go to the National Library, three other copies to the three other designated public libraries (unless the publication concerned

is a highly specialized scientific or technological subject), one copy to the Sate Central Library (under the P & R Act, 1867).

5. It will be advisable to take steps for amalgamation of the provisions of the D.B. Act and the P & R Act. This may however, be difficult in the immediate context. Therefore, taking the D.B. Act as the core subject of legislation, suitable consequential provisions through amendment may be made in the P & R Act, for the time being.

6. Ideally speaking, legal deposit could be made a condition-precedent for seeking State protection of copyright. While this will strengthen legal deposit, it may run counter to the current trend of thinking all over the world to tighten protective measures for copyright. However, deliver of a publication under the D.B. Act could be pre-condition for ISBN and ISSN.

7. The scope of the term publication may be widened in the context of D.B. Act. In line with the system that obtains in the USA and UK, the law should provide that a copy of any publication, no matter where it has been printed, published and marketed, if brought for circulation in India whether by sale of otherwise, has to be delivered to the National Library as part of legal deposit.

8. The D.B. Act should be amended to cover the cultural and intellectual products that are readable and audible, but come in the form of non-print materials namely digital and other electronic version of reading materials. The law should be brought enough to cover all changes that frequently take place in technology bringing out newer versions of readable/audible materials.

9. Audiovisual materials, music cassettes, video cassettes should all come within the ambit of legal deposit. One can think of setting up a number of institutions for preserving these materials receivable under the D.B. Act. Each institution may be specialized in one or several forms of material.

10. It is necessary to make the penal clause under the D.B. Act more rigorous than in the case now. The fine for the first default may be 1000 rupees or five times the price of the book, whichever is higher. For subsequent defaults penalty should be higher, including forfeiture / cancellation of trade license of the defaulter.

11. The publisher may be freed from their obligation to bear the expense of delivery of their publication to the designated / recipient libraries. The National Library being an organization of the Govt. it should be possible for it to set apart an amount for paying the postage. The other libraries may not be all entirely government organizations and will be outside the direct budgetary control of the government. It may be that, from time to time, they will not be able to make budgetary provision for postage and this may create bottlenecks for the smooth flow of publications tube delivered to them under the D.B. Act to the designated recipient libraries including the National Library.

12. The procedure for trial of offence under the D.B. Act ought to be simplified and procedure of summary trial under the Cr. P.C. may be adopted. Provision should also be made for designating a number of officials to launch prosecution against defaulters.

The National Library may be put under the obligation to publish periodically, say every month or every quarter, a list of publication as well as article receivable under the proposed amended act and give suitable publicity through the print media as well as its website. The list should contain a prescribed minimum of detail in respect of each publication / article received.

13. Publication of the Indian National Bibliography (INB) should be regularized now that the Central Reference Library has taken up to the system of computerized print and publication of the INB.

14. The Law if the piracy should be tightened so as provide an incentive to publishers and printers to discharges their obligations under the D.B. Act and the P & R Act.

15. Newspapers and journals are usually published in relatively low quality paper, which are prone to faster decay and also pose serious problems in the way of their preservation. The National Library should be given the authority to destroy newspapers and periodicals printed inflow quality paper after copies of the text have been kept in various technologically sound forms for reproduction.

16. Since a lot of publications are received that have no value for readers and scholars beyond the short-term period, the Library should have the authority to dispose them off after the experts certify them' disposable.

After the Imperial Library (change of name) Act was passed in 1948, the National Library came into being. After long persuasion the Government of India very graciously granted the Vice-regal Palace at Belvedere to the National Library to make it a new house of the biggest library of the country.

Belvedere, the word is derived from Italian 'Belle' (beautiful) and vedere (to see). The Encyclopedia Britannica defines Belvedere as an architectural structure built an elevated position to command a fine view. Roofed but open one or more sides, a Belvedere may be located in the upper part of a building or may stand as a separate structure. The term has been in use in Italian from the Renaissance. The name however, is applied to the whole building such as the Belvedere Gallery in the Vatican in Rome or the Belvedere Palace in Vienna.

The earliest map in which Belvedere is marked is that of Aaron Upjohn, executed on 2nd April 1894, and published in the same month. The Map of Calcutta and its Environs' was the result of accurate surveys conducted by the cartographer, Upjohn, Belvedere is

situated in Alipore, an oasis in the midst of names bearing Hindu Gods and Goddesses, Yolanda, Radhanagar, Bhowanipore, Durgapur and Gopalnagar are all marked out in early maps of Calcutta. Some of these names still exist, but most of them have disappeared form maps Calcutta.

The main feature visible on approaching the building is the grand flight of steps with a carriage portico below, somewhat similar to that in Government House in Calcutta; these steps lead to the vestibule, a highly but tastefully decorated room from which the large hall is reached. Both the steps and the entrance to the vestibule, make the mansion remarkable in the whole of Calcutta, if not in the whole of India. The entrance to the Belvedere remarkable in the whole of Calcutta, if not in the whole of India. The entrance to the Belvedere campus is from the north through fine masonry arch, surmounted by our national emblem and flagstaff.

This stately mansion with its varied facade evolved from out of the fancies of a number of distinguished owners whose names have made history. Through not exemplifying a pure form of Italian architecture, it is pleasing to the eye in its pleasant setting of venerable trees and lawns. The earliest name associated with this building was that of Mir Jaffar Ali Khan the Nawab Nazim of Murshidabad. Claude Campbell in his Glimpses of Bengal has a lot to say about Lord Clive having had something got do with Belvedere by virtue of Emperor Shah Alam's Jagir Sanad.. The commander-in-Chief of India, Sir Edward Paget, KCB occupied this manion after February1825. The Princep family bought it and then sold the same to the East India Company 1854 to enable them to house the Lieutenant Governor of Bengal, Sir James Halliday who stayed there from 1857 to 1859. The successive Lieutenant Governors did a lot of face lifting to this building. As back as in the 1870s, Sir Richard Temple, the then Lieutenant Governor of Bengal, described Belvedere House as being in the middle of the park, studded with groups of trees, its terrace overlooking a rich

ponds covered with lotus and water lilies, its gardens encircled with various trees, the banyan, the almond, the bamboo, the cotton trees and even by some specimens of the peerless aturstia. It is interesting to note that the Society for the diffusion of useful literature in India held inaugural meeting at Belvedere with Sir Stewart Bayley in the Chair and Sir Gurudas Banerjee, Sir Rash Behari Ghosh, Dr Mahendra Lal Sarkar and Dr Haraprased Shastri attended this meeting.

The National Library collection was shifted to the new house form1948 and it took four years to remodel the old and beautiful mansion to suit the needs of modern library. During all these process of shifting and remodeling the library, facilities were not denied to the public. When finally the banqueting hall of the vice-regal palace was turned into the Reading Room of the National Library, a newspaper wrag commented on it as 'Cupid yielding place to Minarva.

BHASHA BHAVAN

The fact that the Library was irresistibly expanding over the years as about 20000 books received under the Delivery of Books Act alone were added every year to the Library collection, besides several thousand received under gift and exchanged and purchased by the Library. The present building was unable to accommodate growing number of bookstand documents, There was pressing demand for modern technology in the library services. Thus, in 1987 a plan was tabled before the Government for construction of a 6 storied building of approximately 40,000 sq. meters of floors area with central air-conditioning provided with all modern amenities with adequate fire safety measures within 30 acres of land, which the library occupies at Belvedere, Alipore, Kolkata. A renowned architecht Shri M.N. Rana was appointed consultant architect in 1988.

On 7th April 1989 late Rajiv Gandhi, Hon'ble Prime Minsiter of India laid foundation stone of this Bhasha Bhavan. The Hon'ble Prime Minister desired to see the National Library of India at par with other national libraries of the world. In making MERA DESH MAHAN he sressed upon elevation of this Library to an international standard keeping in view massive information flow, its storage and retrieval, exchange and management in terms of growing demand for information on one hand and on the other its service in the changing scenario of society. In consideration of immense importance of this great seat of culture, Rajiv Gandhi wished to have state-of-the art information technology and all modern facilities for readers of this gigantic institution. The Prime Minister while approving the plan of the new building was found also concerned in protecting the architectural beauty of the Vice-regal mansion of Belvedere and its unparallel surroundings that made the India's National Library unique in the world. The administrative approval and expenditure sanction was received in January 1993. From 15th February 1995 the Central Public Works Department (CPWD), Government of India began construction of the building. The building with a carpet area of 40,000 square meters with every unit equipped with state-of-the art fittings and technology was completed in March 2004. It is now being handed over to the authorities of the National Library. The new building "Bhasha-Bhavan" was inaugurated by the Hon'ble Minister of Culture, Govt. of India, ShriJaipal Reddy, in presence of Shri Buddhasaheb Bhattacharjee, Hon'ble Chief Minster of West Bengal on 8th October 2004. Some of the features of the Bhasha Bhavan are enumerated briefly.

Basement Floor :

The plinth area of basement is 8663 sq. mt. approximately will accommodate

i) Reprography ii) Preservation iii) Chemical Laboratory iv) Stack v) Strong rooms vi) Staff rooms, etc.

Ground Floor :

i) Art Gallery ii) Canteen iii) Indian Languages & Processing Division iv) Central Sorting v) Acquisition Division vi) Stack vii) English language and Processing.

First Floor :

i) Indian National Bibliography/Indian Union Catalogue ii) Auditorium iii) Loose Serials stack iv) Indian & Foreign Official Documents v) Periodical Reading Room vi) Braille Library vii) Catalogue Service viii) Reading Hall

Second Floor :

i) Stack ii) Microfilm Laboratory iii) Special Reading Room iv)Audi-visual Room v) Reading Room vi) Catalogue Room

Third Floor :

i) Stack ii) Offices

Fourth Floor :

i) Committee room ii) Conference room iii) Research & Development room iv) Waiting room v) Officers room and office vi) Lecture Hall vii) Inter Library loan department

The building will accommodate 1500 readers at a time including special areas for special readers. Display racks and reference books will be provided in easily accessible racks. Apart from this, issue counters will be available in 1st and 2nd floors. The counters will be equipped with computers to sort out availability and trace exact location of the books in the Library.

The Auditorium is provided with state-of- the art technology and has a capacity of accommodating 540 persons.

The Conference Hall has a capacity of 75 persons and is provided with state of the art facilities.

The Lecture Hall has a capacity to accommodate 50 persons at a time and is too equipped with LCD projection system etc.

Apart from these the building is centrally air-conditioned and fully equipped with automatic fire fighting system.

It is a pleasure that the Vice-regal palace with the green lush grounds have been protected *to continue with the prevalent reading environment natural* beauty which doesn't exit any where with other national libraries.

Objectives and Basic Features

The National Library serves as a permanent repository of all reading and information materials produced in India as well of all printed material authored by Indians and inclusive of those concerning India but authored by foreigners and wherever published and in whichever languages. The Library has a good collection of publications in English and other European languages. It has also a rich collection of Arabic, Persian, Sanskrit and Tamil manuscripts and rare books.

The Reviewing Committee in its report of 1969 suggested that the following should be the basic features of the National Library:

- Acquisition and conservation of all significant printed materials produced in the country to the exclusion of ephemera
- Collection of printed materials concerning the country wherever published and also acquisition of photographic record of such *materials that is not available* within the country.

- Acquisition and conservation of manuscripts having national importance;
- Planned acquisition of foreign materials required by the country.
- Rendering of bibliographical and documentation service of retrospective materials, both general and specialized;
- Acting as a referral centre purveying full and accurate knowledge of all sources of Bibliographical activities.
- Provision of photocopying and reprographic services and
- Acting as the centre for international book exchange and international loan.

The Government of India accepted above recommendations and the National Library has since been functioning within the framework of the aims and objectives outlined above.

Administrative and Functional Set-up

The National Library is functional under the Ministry of Culture, Government of India, New Delhi. The Director exercises all the administrative and functional powers. The Director is overall in-charge of the Library with two Professional Principal Library and information Officers assist the Director and the Principal Library and Information Officer on the professional side, and a Senior Administrative Officer and two Administrative Officers on the Administrative side.

The Library complex is at present accommodated in the following buildings:

- Main Building (old Vice-regal lodge)
- Annex Building (9-storied)
- New Annex Building (3storied)
- Chemical Laboratory Building
- Esplanade Reading Room (4 kms away from the Library campus)

A new multi-storied gigantic building called the Bhasha Bhawan with modern facilities. (6 storied)

The National Library has broadly the following set up :

A. Professional Divisions
B. Conservation Divisions
C. Administrative Divisions

The various divisions of the Library have been organized on a functional basis with a view to utilizing its resources to the maximum extent as also improving its services to the readers.

A. Professional Divisions :

1) General Professional :

- Acquisition (Book Order)
- Acquisition (Book Selection)
- Annex Reading Room & Stack
- Asutosh Collection
- Bibliography (General)
- Bibliography (Special)
- Children's Library
- Computer Centre
- English Serials
- Esplanade Newspaper Reading Room
- Foreign Official Documents
- Gift and Exchange
- Indian Official Documents

- Lending (Section)
- Main Reading Room and Reference
- Main Stack
- Maps and Prints
- New Annex Reading Room and Stack
- Printed Catalogues
- Processing (English books)
- Rare Books
- Science and Technology
- Stock Verification

2) Indian Languages:

- Assamese
- Bengali
- Gujarati
- Hindi
- Kannada
- Kashmiri (Section)
- Malayalam
- Marathi
- Oriya
- Punjabi
- Sanskrit, Pali & Prakrit
- Sindhi (Section)
- Tamil
- Telugu
- Urdu

3) Foreign Languages

- East Asian Languages
- West Asian & African Languages
- Germanic Languages
- Romance Languages
- Slavonic Languages

B. Conservation Division :

1. Chemical Laboratory
2. Preservation
3. Reprography

C. Administrative Division:

1. Accounts Section
2. Cash Section
3. Establishment Section
4. Garden Division
5. Genera land Central Registry
6. Hindi Cell
7. Pubic Relation Section
8. Security and Conservancy Division
9. Stores and Supply Section

Acquisition Policy

The Library acquires materials in addition to the Delivery of Books Act publications mainly in the following categories:

- Bookstand journals on India in any language, published anywhere in the world:
- Indian publications before 1954 and not available in the Library
- Books by Indian authors published abroad:
- All books by Nobel Prize winners
- All standard books on African and Asian countries
- Standard books in the languages of India's neighboring countries
- Selected latest books on all branches of knowledge including Science and Technology;
- Replacement of brittle and mutilated volumes :
- Filling up of the gaps in the Library's collection:
- Back volumes of important research journals;
- Standard works in modern European languages like French, German and Russian etc.
- Microfilm, microfiche CDs, photocopies of rare and out of print books etc. where necessary
- Biographies of eminent personalities of the world.

Readers Service : Highlight

Over a thousand readers a day on an average attend the National Library. Besides, the Library also has a Lending Section for issue of some categories of books (generally known to be in print) to individual borrowers (both local and mofussil) and for issue of books to libraries/ institutions/ Government offices on inter library/official loan. The number of books is issued per day on an average is about 300. It follows closed system stacks except standard reference works. The National Library also acts as a centre international loan.

The National Library has two Bibliography divisions. The Bibliography (General) division caters to the needs of individual scholars/institutions for select list of books of various subjects. This division also caters to international commitments for Bibliographical information like supplying entries for UNESCO's *Index Translationum* and Bibliographical Services throughout the World. The Bibliography (Special) division compiles edits and brings out comprehensive Bibliography of Ideology. These divisions are also engaged in indexing of important periodicals.

PUBLIC LIBRARIES DEPARTMENT: AN OVERVIEW

P.Kulesakaran

1. INTRODUCTION

A Public Library is one that serves the entire population of a community. Everyone in the community regardless of nationality, race, colour, creed, age, sex, status, educational attainments, language or any such considerations has a claim to its services as a matter of right. It is generally established and maintained out of Public funds under the mandate of legislation. The basic condition that a library should be required to satisfy, in order to be accepted as a public library, irrespective of whether it is supported by public funds or not or whether its service is free or not, is that it should be open for use to all the people in its area without any distinction whatsoever. Public Libraries are those libraries, which serve the population of a community or region free of charge or for a nominal fee.

The main functions of the public libraries are

1. to develop reading habits;
2. to promote education;
3. to foster culture;
4. to disseminate information; and
5. to provide recreation.

Tamil Nadu is the First State in India to enact legislation for Public library service. The Tamil Nadu Public Libraries Act was passed in 1948 to provide comprehensive public library service in the State. The Tamil Nadu Public Library Rules were introduced in 1950.

This act provides for the establishment of State Central Library, District Central Libraries and Branch Libraries in the State.

* Director of Public Libraries, Tamil Nadu.

2. SERVICE UNITS

At present the following Service units established under the provisions of the Tamil Nadu Public Libraries Act, 1948 are functioning under the control of the Director of Public Libraries.

1.	State Central Library (Connemara Public Library)	:	1
2.	District Central Libraries	:	29
3.	Branch Libraries	:	1568
4.	Mobile Libraries	:	12
5.	Village Libraries	:	1492
6.	Part-time Libraries	:	649
	Total		3751

2.1 State Central Library

The Connemara Public Library, Chennai is functioning as the State Central Library. It is one of the four National Depositary Libraries in India under Delivery of Books and News Papers(Public Libraries) Act, 1954. It also serves as a Deposit Centre for UNESCO as well as Asian Development Bank Publications. It provides the following services to the public:- Reference Service, Text Book Service, Civil Services, Home Delivery Service, Lending Service, Bibliographic Service, Periodical Service, Educational Video Service, Xerox Service and computer Service. It functions from 9.00 a.m. to 7.30 p.m. on weekdays and 9.30 a.m. to 6.00 p.m. on Sundays. It serves throughout the year except 9 holidays.

2.2 District Central Libraries

Each and every Revenue District has a District Central Library situated in the district headquarters. It is an Apex Library in the District. The District Central Libraries are working 12 hours a day i.e. 8.00 a.m. to 8.00 p.m. without any break except Friday Second Saturdays and other Government Holidays.

2.3 Branch Libraries

As per Tamil Nadu Public Libraries Act,1948, Branch Libraries can be opened where the population is more than 5000. The Branch Libraries are functioning under the guidance of the District Central Libraries. The Branch Libraries are working for 6 ½ hours a day ie., from 8.00 a.m. to 11.30 a.m. to 4.00 p.m. to 7.00 p.m.

2.4 Mobile Libraries

It is Library on wheels moving from one place to another where there is no library, particularly small hamlet, hill stations and also where house wives and aged persons who could not access to the libraries. Books will be supplied periodically at particulars centres. At present Mobile Library service is functioning in Coimbatore, Kancheepuram, Erode, Madurai, Salem, Thanjavur, Tiruchirappalli, Tirunelveli and Thiruvallur Districts.

2.5 Village Libraries

These Libraries are functioning in Villages having population of more the 5000 where there is no Branch Library is functioning. The Village Librarians are working on consolidated payment. These Libraries are working for 5 ½ hours a day. There are 1492 Village Libraries are functioning in Tamil Nadu. The Village Libraries are working from 9.00 a.m. to 12.00 noon and 4.00 p.m. to 6.30 p.m.

2.6 Part-time Libraries

Part-time Libraries are being established in villages where the population is more than 1000 and subject to fulfilment of certain conditions by the public. These Libraries are attached to the nearby Branch Libraries. There are 649 Part-time Libraries functioning in the State at present. The Part-time Librarians are working on payment of consolidated pay. These Libraries are working for 3.00 hrs per day in the morning that is 8.00 a.m. to 11.00 a.m.

2.7 Statistics

Total Number of Members	:	35,96,617
Number of Readers in a year	:	4,65,06,598
Number of Users in a year	:	5,13,24,905
Stock of Books	:	5,27,60,826
Number of Books lent in a year	:	1,39,42,543

3. LINKAGE WITH SCHOOLS

In order to improve the reading habit of student at their tender age, the Public Libraries Department has launched a scheme named "Linkage with Schools". Through this scheme, books will be supplied to the students once in 15 days by the Library staff or by the school personnel at their schools and the same will be collected periodically. So far about 2618 schools were linked with libraries.

4.CIVIL SERVICES STUDY CIRCLE

In order to encourage the youth hailing from downtrodden and weaker section and to complete in the I.A.S., I.P.S., Railway Service Commission, Union Public Service Commission competitive examination, 'Civil Services Study Circle" has been started in

the District Central Library, Connemara Public Library and 150 Municipal Libraries. The unemployed youths are utilising these study centres at the maximum extent.

5. PURCHASE OF BOOKS

In order to provide good and useful reading material and to fulfil the requirements of the reading community, quality books in Tamil and English are being purchased every year and distributed to the Libraries. About 25% of the Cess collection is utilised for purchase of books. Besides this, a Corpus fund of Rs.6.80 crores have been created with assistance of XI Finance Commission. A General Fund has been created in the year 2002-2003 to fund the purchase of Books by the weak Local Library Authorities.

The details of books purchased during the last 5 years are given below.

S.No	Year	No.of Tamil Books purchased	No. of Copies	Expenditure (Rs.in Lakhs)	No. of English Books Purchase	No. of copies	Expenditure (Rs.in Lakhs)
1	1999-2000	1873	850	320	823	29	92
2	2000-2001	2818	850	420	1868	29	170
3	2001-2002	3224	850	475	1169	29	100
4	2002-2003	4138	600	679	1991	29	220
5	2003-2004	3033	600	658	1579	29	135
6	2004-2005	3994	600	853	2411	29	244

6. CONSTRUCTION OF LIBRARY BUILDINGS

In order to make the public to read in airy and spacious place, Library Buildings are being constructed for the libraries housed in rented buildings. Out of the total number of 3751 libraries (29 District Central Libraries,1568 Branch Libraries, 12 Mobile Libraries, 1492 Village Libraries and 649 Part-time Libraries) 1340 Libraries are functioning in own buildings, 349 Libraries are functioning in rented buildings and 2062 Libraries are functioning in rent-free buildings. For Connemara Public Library an annexe building was constructed to the tune of Rs.179.00 lakhs. Moreover the Connemara Public Library old building is being renovated at a cost of Rs.121.00 lakhs. At present construction work is going on at 54 places at a cost of Rs.4.35 crores.

7. SERVICE TO BLIND

In order to serve the Blind people separate Blind section is functioning in the State Central Library and District Central Library,Chennai with necessary audio equipments and Braille Books.

8. NEWS LETTER

On behalf of the Public Libraries Department, a quarterly magazine "Pothu Noolaga Cheithi Madal" is being published. The first issue was released during July-September 1996. In this magazine the news like developmental activities of Public Libraries Department, various news relating to library movement are published and the magazine is welcomed by the public with great interest and pleasure.

9. VASAKAR VATTAM (READERS FORUM)

In order to make the Library movement as public movement and to develop the reading habits among the public, an organisation called "VASAKAR VATTAM" is being formed for each and every library comprising of educationists, library readers and local residents and they are conducting Book Introduction, Literary meeting etc., periodically.

10. COMPUTERISATION / ADDITIONAL AMENITIES

For improving the Library Service, Connemara Public Library has been provided with computers and internet facilities at a cost of Rs.20.00 lakhs. Further, Chennai, Coimbatore, Salem, Madurai, Tiruchirappalli, Tirunelveli, Virudhunagar, The Nilgiris, Namakkal, Erode, Kanniyakumari, Dharmapuri, Tanjore, Kancheepuram, Vellore Cuddalore, Sivagangai and Nagapattinam District Central Libraries have also been provided with computers at a total cost of Rs.90 lakhs.

During 2004-2005, 10 prominent Libraries located at Coimbatore, Tirunelveli, Namakkal, Kancheepuram, Dharmapuri, Salem, Erode and Chennai Districts are being provided with Computers at a total cost of Rs.20/-lakhs with the financial assistance of Raja Rammohun Roy Library Foundation. Internet facilities will be provided in 100 Public Libraries located in Municipal areas by the Local Library Authority during 2005-2006.

Further Xerox facility and TV/VCR facility are also made in the District Central Libraries.

11. RRRLF ASSISTANCE

The Raja Rammohun Roy Library Foundation, Kolkatta is rendering financial assistance to all the States in India for developing library movement. The Government of Tamil Nadu is availing the maximum financial assistance from the foundation.

The matching assistance availed from the foundation for past three years is as follows:

(Rs. in Lakhs)

1. 2000-2001	-	100.00
2. 2001-2002	-	101.98
3. 2002-2003	-	121.69
4. 2003-2004	-	150.00
5. 2004-2005	-	200.00

12. FUTURE PLANS

1. Digitalising the rare and old collections of the State Central Library and made them available in District Central Libraries.

2. Linking District Central Libraries with State Central Library through Networking.

3. Introduce E governance in Public Library Department.

4. Provide online access to the Date base of the State Central Library.

5. Introduce internet services to all Branch Libraries in the State.

13. CONCLUSION

The Public Library Department has decided to involve the public to contribute their might in various programmes of the department. The programmes are enumerated as follows:

1. To acquire free site for each and every library in Tamilnadu.

2. To enroll every educated person as member of the library.

3. To fulfil basic requirements of the libraries such as racks, furniture, utensils, electrical fittings etc through public donation.

4. To open part-time libraries at the rate of one to each and every library.

5. To get books, dailies and periodicals through public donation to every library.

6. To enroll patrons to each and every library and develop library movement.

7. To have own building for each and every library before the end of 20th century.

8. To encourage adoption of libraries by Banks or Business Firms or Industries for substained Development.

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The Government have ordered to open 867 new Village Libraries vide G.O.Ms.No.50, School Education, Dated. 11.4.2003. So for

S.No		*No.of Libraries*	*No.of Readers*	*No.of Members*	*Total No.of Books*
1	State Central Library	1	578030	73853	314640
2	District Central Libraries	29	5800000	275510	4420000
3	Branch Libraries	1568	17058120	2347061	27653130
4	Mobile Libraries	12	30000	2700	102000
5	Village Libraries	625	1562500	156255	7437500
6	Part-time Libraries	649	1947000	129805	4413200
	Total	2884	25223350	2985184	44340470

The Delivery of Books Act & Tamil Books

R. Muthukumaraswamy

Printing history in India Starts at Goa. Francis Xavier, who landed in Goa felt that to propagate Christianity printing was necessary. The printing press which was meant for Abyssinia was detained in Goa by accident. Francis Xavier who was in dare need of a printing press, unloaded the printing machine and started printing Christian tracts.

Francis.Xavier wrote the book' DOCTRINA CHRISTAM in Portuguese. Francis.Henrique Henriquess translated it into Tamil and printed that as Tambiran Vanakkam in 1578 at kollam, which is now in Kerala State. Though printing of Tamil books started in Halle in 1751 by using Tamil Type faunts cut in Halle. Some of Tamil Types of Halle were sent to Goa. But as they were big in size, new types were cut in Kollam.

Printing technology got a new revolution when the German printer Johann Gutenberg invented the movable metal types in 1450 A.D. First Tamil types were cut in Amsterdam in 1678. The printing press entered into Tamil Nadu in 1712. It reached Tarangambadi, a coastal village near Mayiladoothurai.(Mayavaram).

Upto the beginning of 19th century, only christian missionaries were permitted to establish printing presses. They printed only christian tracts and prayer books. The first press established in Tarangambadi (Tranquebar) by Barthlomia Ziegenbalg in 1712 printed the tracts and Bible (Tamil Version).

When the natives showed interact in establishing printing presses, the British Company which ruled India, took serious scuritinization of the books printed in the native language by the natives. They were afraid that they may be printing books against the christian

Religion. Therefore the Governor of Bombay enacted the 1823 Press Registration Act which made the publisher and printer should obtain a license from the Governor. This Act is known as John Adams Press Act. With some amendments in 1825 and 1827 it was reenacted. Therefore the natives were very much afraid to publish a book or start a press. In 1835 Sir Charles Metcalfe removed those restrictions and Indian owned presses began to be established. The Vernacular Press Act 1835 enacted by Metcalfe helped the Tamilians to print books on Tamil language, Religion, etc.

The Act 11 of 1835 made it compulsory the Publisher & Printer should sign before a ;Magistrate with a condition that the name of the publisher & printer should be printed in all books & Periodicals. If they failed to do so, they would be fined Rs. 5000 and 2 years imprisonment.

The act came into force September 15, 1835 and was published in Fort.St.George Gazette, both in English & Tamil. This also made the publisher to pay the fee of Rs. 2 only and register the ownership of the Copy Right with the Registrar of Books & Periodicals at Government Department.

The International Statistical Congress held in London in 1860, insisted that a Report on the Statistics of Literature should be prepared all over the world. If felt that the statistics of literature are in truth the compliment and crown of the Educational statistics of a country.

In the year 1863, the Royal Asiatic Society of Great Britain applied to Her Majesty's secretary of state for India for assistance in preparing the statistics of literature in India. The literary statistics of a country ought to embrace all that is the result of the human exercise of the human intellect.

The Bengal Government took the task of taking stock of vernacular literature. At that time three fourths of the books printed in Indian languages were not registered. Then

it gave the proposal to get the book by legal procedure. In England a free copy of every book published in England must be presented to the British Museum. On the same lines the press and Registration of Books Act 1867 was enacted. Under this Act, there is a legal obligation on the printer to deliver a copy of each book to the State Government and a copy to the National Deposit Libraries in Calcutta, Delhi, Bombay & Chennai.

The main object of this Act is to take into its position of all the books printed in India and in the way of preparing the statistics of literature. Under the title '*The Indian National Bibliography*' the statistics of Indian Literature was published every year from 1954. When the Delivery of Books and News papers (Public Libraries) Act came into force.

To take stock of existing literature of Tamil Language Dr. John Murdoch a London Missionary brought out then 'classified catalogue of Tamil printed books' in 1865 with containing all printed books from 1712 to 1867. The Registration Books Act came into force in 1867. Hence the complete bibliography of Tamil books is available in Murdoch's catalogue.

After the year 1867 the quarterly list published in the Fort St.George Gazette contain all the books published in the Quarter and registered with the Registrar of Books. After D.B.Act of 1954, the Gazette stopped publishing the Quarterly list.

To fulfill the demand of the statistical survey of Tamil books the Government of Tamil Nadu constituted The Tamil Development and Research council in 1959. The council published the Tamil Bibliography (*Tamil Nool Vivararap pattiyal*). It has listed books printed from 1867 to 1954 in so many volumes, which in yet to be completed by the Tamil Development Department.

The Delivery of Books Act has nominated the National Library, Kolkata as one of the four Deposit Libraries. Its main task is to bring out the Indian National Bibliography,

which is progressing slowly, with some breaks in the middle. of late the language part of the Indian National Bibliography has been entrusted to the Regional Deposit Centres. The Connemara Public Library, the State Central Library of Tamil Nadu, and one of the Deposit Centres was entrusted to bring out the Tamil part. In the beginning few parts were printed in 1980s. Then the printing has been discontinued and every month the Connemara Public Library is preparing the list of books deposited in the respective month and sending it to all the District Central Libraries. Steps should be taken to print the list and make it available to the public.

Under the Delivery of Books Act, it is now compulsory to send a copy of each book to the prescribed four Deposit Centres.

This is difficult to the publishers to follow the above condition for the following reasons.

1. At present the cost of the regional language books are increasing slowly due to the hike in the paper cost, printing cost, Binding cost, etc. There fore it is felt that sending four sets is becoming inpracticable.

2. The postal charges are also increasing at frequent intervals sending of four sets to four centres has became very costly. Sending books by unregistered post is not safety. If they are to be sent by Registered Post, the postal charges, sometimes, exceed the books cost.

3. India has four deposit centres at four different geographical and linguistic areas. The books one regional language are not very much used in other regions. For example Tamil books are not in much use in Mumbai and Delhi Centres. Hence the number of copies can be reduced to two; One to the National Library, Kolkata and Connemara Public Library(State Central Library)Chennai..

4. To ensure that all the books to reach National Library, because it is a big complaint that National Library does not receive all the books deposited in Connemara Public Library, two copies might be deposited in Connemara Public Library *itself* and National Library can make proper arrangements to get those books.

5. Every State should have a State Central Library, irrespective of the enactment of Public Libraies Act. (because it is learnt that only 14 states have so far enacted State Library Act) and the State Central Library should be considered as the Deposit centres as their respective regional languages.

6. Last, but not the least, the National Library Act of India should be enacted to help the proper growth of the library movement and the reading habit among the public. This will be a monument for Dr.S.R,Ranganathan, the Father of the Library Movement in India, who spent his whole life for it. His dream was that one day the National Library Act will be enacted. If his dream is to be fulfilled, the Government of India, should take the early step in this direction.

The publishers in Tamil Nadu are very much in aware of Delivery of Books & periodicals Act.,1954.

Every year the Department of Public Library is Purchasing books by getting specimens from the Publishers. Almost all the publishers, writer cum publishers printers turned into publishers etc are very much in eager to get the library purchase order, because it is the main source of book sales.

While submitting the specimens the Directorate insists that the publishers should send each one copy to the National Libraries Kolkata and the other Deposit Libraries in Delhi, Mumbai and Chennai. Connemara Public Library in Chennai, which is also the State Central Library and Deposit Library under Delivery of Books Act. The Directorate

insists that the acknowledgments received from the Deposit Libraries should be attached to the application at the specimen supplying time.

Hence all the publishers are well aware of the Delivery of Books Act.

A note about the acknowledgment is to be mentioned here. The Connemara Public Library Chennai Sends the Acknowledgements immediately. National Library Kolkata sent the Acknowledgement Receipt after a short time. Very rarely they receive the Acknowledgement Receipt from the Delhi & Mumbai Centers.

If the Act is amended that the publishers can submit 2 copies One to National Library Kolkata, the other to Connemara Public Library Chennai, and that too handing over the two copies at one and the same place, i.e. Connemara Public Library Chennai it will be a welcome decision.

The Delivery of Books and Newspapers Act ((1954): A review

A.Amudhavalli & N.Avadaiappan

1. INTRODUCTION

"To carry knowledge free to the doors of the ignorant, to educate them in the righteous path, nothing can be equal to that form of charity; even to give away the whole world can never come to its level" are the words of Manu. This is relevant to the objectives and functions of a Public Library at anytime and anywhere. To achieve this mission, a 'People's University" like a Public Library needs support and encouragement from the people's Government. This can be ensured only under legal obligations and implementation.

After independence, India enacted library legislation at the national and state levels. Yet, the history of law relating to the Press and Books can be traced back to the days of East India Company, which was urged to maintain the records of all significant publications. It found necessary to establish a system of compulsory registration of published documents which prompted the authorities to enact laws to control and regulate the Press & Publication activity. The earliest surviving enactment was the passing of the Press and Registration of Books Act, 1867. This enabled the then Government to preserve copies of books and other material printed in India. Madras made library history in independent India by the adoption of the Public Library Act in 1948, after two decades of persistent efforts of the MALA to make the public of the state library-conscious.

Since 1950, the library cess was collected from the public as part of the property tax towards public library development in the State. By 1954, Government of India enacted the Delivery of Books and Newspapers Act to provide free delivery of books and newspapers

to the National Library, Calcutta (Kolkata) and three other designated public libraries in the country. Of the three, for the Southern region the Connemara Public Library was designated to be one such to serve as the Depository Library In 1955. These Acts have contributed towards the genesis and emergence of legal provision to benefit the public and the public library system in the State & and the country.

With effect from 1 April 1939, the Connemara Public Library became an independent institution under the direct control of the Government. It became the State Central Library with effect from 1 April 1950, under the control of the Director of Public Instruction who is the ex-officio Director of Public Libraries under the Madras Public Libraries Act 1948. As the State Central Library, it is responsible for the administration of the Public Library System in Tamil Nadu under the Delivery of Books and Newspapers Act, 1954: No.27 of 1954, as one of the four National Depository Libraries, it is entitled to get a copy of all materials published in India on or after 20th May 1954. It was amended as the Delivery of books (Public Libraries) Amendment Act, 1956: No.99 of 1956).

2. Operational Definitions

2.1. Books - "every volume, part or division of a volume and pamphlet, in any language, and every sheet of music, map, chart or plan separately printed or lithographed, but does not include a newspaper published in conformity with the provisions of Section 5 of the Press and Registration Act, 1867".

2.2. Newspapers - " any printed periodical work containing public news or comments on public news published in conformity with the provisions of Section 5 of the Press and Registration Act, 1867".

2.3. Public Libraries – "the National Library at Kolkata and the three other Public libraries Connemara Public library, Chennai; The Delhi Public Library, New

Delhi; and The State Central Library (Mumbai) as per the notification in the Official Gazette.

3. Scope of the Act

The chief merits and major features of the Delivery of Books & Newspapers Act (D B Act) can be highlighted as follows:

- **Preservation** – Upholds the intellectual & cultural heritage of the country.
- **Availability** - It is advantageous for authors, publishers & the readers to ensure each and every copy of an Indian publication made available in the designated library.
- **Accessibility** - Its catalogue can be widely accessed via Internet by all those interested users spread across the world.
- **Selection Tool** – The holdings list/national bibliography is a resource for traders and librarians as a selection tool.
- **Reference Tool** – The collection of these libraries is a rich resource of information, entertainment and education.
- **Publicity** – With a deposit of every book by a publisher, he/she gets an opportunity of the widest publicity.
- **Bibliographic Control** – The compilation of the National & Regional bibliographies is the effective mechanism to trace the country's publications.
- **Ethics** – It regulates printing presses and prevents publication of anonymous works.
- **Democracy** - It does not constitute any restriction on the freedom of the Press within the purview of Art. 19(2) of the constitution.
- **Duty** – It is mandatory that each publisher ought to deposit a copy of every book or newspaper within 30 days of its publications to each of the designated library under the D B Act.

4. Review of the Act

Looking back over the five decades of the D B Act in India at its Jubilee year, a few observations are essential to proceed further. They include:

1. There is no discretion on the part of the publishers to decide what is to be sent and what need not be sent under the Act.

2. Implementation of the Act is not satisfactory. Not even 50% of the total publications from the country are duly submitted let alone the specified period of "30 days of the date of publication".

3. There is a decline amongst the publishers in scrupulously observing his/her legal obligations under the Act.

4. Lack of reminders & follow up on the part of the recipient libraries.

5. The Act seems to be not taken seriously and complied with by either the publishers or the recipient libraries in the country.

6. The National and Regional Bibliography thereby is neither complete not comprehensive apart from its delayed publication.

7. No progress of the situation is on the horizon or envisaged.

8. The Act, in fact, has become obsolete today.

9. No efforts and steps towards successful implementation of the Act by the Government of India have been attempted to improvise the situation.

10. The taxpaying public seems to be indifferent or ignorant of the lacking of the legal obligations under the D B Act.

11. The problems and prospects of the authors or publishers or the recipient libraries are checked and balanced.

12. The impact of the escalating costs of book production, depleting reading habits, low pace of book trade, lack of qualitative book production and increased trash materials, mushrooming publishers, circulation of pirate editions, lack of ethics etc on the D B Act.

13. Space problem faced by the recipient libraries is not to be ignored.

14. Postal charges and other expenses implied in the delivery of books to the recipient libraries by the publishers.

15. Information & Communication Technology (ICT) seem to have no impact on the Act.

5. Conspectus

The reasons for the above reviewed situation are varied and numerous. However, it is true that it has been a long, a very long period of experiment over the Act and it is high time that it needs to be revised and amended. A few thoughts for effective role of the D B Act include:

1. To declare or designate an Authority within the system to be responsible for the enactment of the D B Act.
2. To create an awareness and understanding of the D B Act amongst the publishers and the users of the public libraries.
3. The professional bodies like Publishers & Booksellers Association and Library Associations should play an effective role in the successful implementation of the D B Act.
4. To take the support of Raja Rammohun Roy Library Foundation (RRRLF)

5. To control and pass the penalty on violation of the Act stringently.
6. To amend the present D B Act in the light of the following:
   6.1 Necessary provision should be incorporated in the D.B.Act empowering the State Central Libraries to receive the books published in their region on behalf of the Depository Libraries and forward the same to the respective Depositories.
   6.2 To include the non-print media, thereby to cover all the worthwhile reading materials whatever be its physical form.
   6.3 To accept only those materials as to the discretion of the recipient library, particularly in the case of newspapers.
   6.4 The role and responsibilities of the Depository Libraries to be clearly stated as to the handling of the items delivered.
7. To ensure the timely publication of the bibliographies.
8. It should be the responsibility of the State Governments to implement properly the provisions of this Act and to make necessary amendments as and when required in State Acts viz., Press and Registration of Books Acts.
9. To activate the system of depositing all the government publications.
10. The financial sector while providing necessary loan facility to the publishers ensure that the publisher has sent his publication to the Depository Libraries.

A strict enforcement of the law by all those concerned and the follow up measures could only revive the situation and to facilitate the Public library system to enhance and empower its statuesque in India. The Government of India should extend the necessary financial support to the State Central Library to implement the same.

A look into the working of the Press & Registration of Books Act, 1867 in Andhra Pradesh

A.A.N.Raju

INTRODUCTION

In India the history of law relating to the Press and Books can be traced from the days of East India Company that paved the way for the British Colonial Rule in India. The advent of Printing presses and publishing houses contributed the publication of books and other 'inflammatory material" on the colonial rule. Those in the fields of writing, publishing and printing gave thought to organize a system for keeping a record of publication. The East India Company was urged to keep a record of publications. A system of voluntary registration of publications was evolved but failed. Therefore, it was found necessary to establish a system of compulsory registration of published documents and prompted the authorities to enact laws to control and regulate the Press and Publication activity in the Country. The earliest surviving enactment specifically directed against the Press and Publication activity was passed in 1867) This Act the Government to regulate the printing press and newspapers by a system of compulsory registration and to preserve copies of books and other material printed in India.

After Independence Government; of India enacted Delivery of Books and Newspapers (Public Libraries) Act, 1954 to provide free delivery of books and newspapers to the National Library, Kolkata and three designated public libraries in the country. These two acts have contributed the genesis and emergence of legal deposit in the country and helped to achieve some sort of bibliographical control of Indian Publications.

THE PRESS AND REGISTRATION OF BOOKS ACT, 1867

The Act, which was passed in the year 1867 by the British Colonial Rulers, was to regulate and control the printing presses and later newspapers and also for the preservation of copies of books and newspapers printed in India and their registration. The positive aspect of this Act was to preserve the intellectual output of the country for posterity. The negative aspect of the Act was to keep an eye on the intellectual awakening in the country, which may go against the interests of the colonial rulers. The Preamble of the Act states that "an Act for the regulation of printing presses and newspapers, for preservation of copies of books and newspapers published in India and for the registration of such books and newspapers".

OBJECTIVES

The main objectives of act are to: 1. secure information from printing houses or establishments and their publications, 2. Preserve copies of every book and newspaper printed in India, 3. Regulate Printing Presses and Newspapers and 4. Prevent publication of anonymous literature.

PROVISIONS OF THE ACT

The Act contains seven parts as mentioned below:

1. Part I	Preliminary (Sections 1 and 2)
2. Part II	of Printing Presses and Newspapers (Sections 3 to 8C)
3. Part III	Delivery of Book's (Sections 9 to 11B)
4. Part IV	Penalties (Sections 12 to 17)
5 Part V	Registration of Books (Sections 18 and 19)
6 Part V-A	Miscellaneous (Sections 20-23)

IMPORTANT PROVISION

The seven Parts of the Act consist forty-six sections covering various provisions of the Act. Some of the important provisions are briefly presented below:3

DELIVERY OF PRINTED BOOKS AND NEWSPAPERS

Section 9 (Part-III) of the Act deals with the delivery of printed books as gratis to the government. This section stipulates that printed copies o;f the whole of every book which shall be printed in India together with all maps and prints, etc, be delivered by the Printer at such place and to such officer as the State Government shall by notification in the official gazette from time to time. The Printer has to deliver three copies of each publication free of expense to the State Government; within a calendar year.

Likewise Section 11A (Part-III) of the Act stipulates that the Printer of every ;newspaper shall deliver at such place and to such officer as the State Government by notification in the official gazette direct and free expense to the government two copies of each issue of such newspaper as soon as it is published.

PENALTIES FOR NOT DELIVERING BOOKS AND NEWSPAPERS

Section 16 (Part-IV) of the act stipulates that if any printer of any book fails to deliver three copies of the book printed by him, he shall be fined not exceeding Rs.50/- (Rupees fifty) for each default by a Magistrate having jurisdiction in the place where the book was printed.

Likewise section 16-A (Part-IV) stipulates that if any printer of any newspaper published in India neglects to deliver the copies of the same, shall be punishable ;on conviction; by a Magistrate having jurisdiction in the place where the newspaper is printed

with fine which may extend to Rs.50/- (Rupees fifty) for every default. These two provisions i.e. 16 and 126A are analogous to Sections 3 and 3A of Delivery of Books and Newspapers (Public Libraries) Act, 1954.

REGISTRATION OF BOOKS AND NEWSPAPERS

Section 18 (Part-V) of the Act stipulates that such officer shall keep at such office and books so received as the State Government shall appoint for this purpose. The said officer has to maintain a catalogue of books printed in India wherein shall register a memorandum of each and every book received by it. The memorandum contains fourteen particulars. These included full bibliographical details of each book and in addition consist whether the book is printed or lithographed, the name and residence of the proprietor of the copyright or any portion of such copyright.

Section 19A (Part-VA) of the Act stipulates that a catalogue of registers of books shall be published at the end of each quarter in the official gazette and copy of the same has to be sent to the Central Government.

Section 19B (Part-VA) of the Act states that the press Registrar shall maintain in the prescribed manner a register of newspapers. The said register shall contain full details of every newspaper published in India. These details include: title, language, periodicity, name of the editor, printer, publisher, place of printing, average number of pages, average number of copies printed retail selling price and names and addresses of owners of the newspaper. Section 19 G of (Part-VA) of the Act stipulates that the press Registrar shall prepare an annual report containing summary of the information obtained by him during the previous year in respect of newspapers in India and giving an account of working of such newspapers and copies thereof shall be forwarded to the Central Government.

It may be pointed that this Act is a Central Act but implementation of provisions of the Act has been entrusted to the State Governments. As per, the provisions of the Act only the printer is held responsible while the publisher is not touched.

WORKING OF THE ACT IN ANDHRA PRADESH

Andhra Pradesh is one of the leading States of Indian Union where a system of Public Libraries is functioning at different levels in the State right from the State Central Library as an apex library down to the village libraries and Book Deposit Center's. The system is a result of Andhra Pradesh Public Libraries Act of 1960, which provides for a separate department of public libraries with director of Public Libraries as its administrative head.

As per section 20 (Part-VI) of the Act, Government of Andhra Pradesh have framed rules (Andhra Pradesh Press and Registration of Books Rules, 1960) vie GO Ms. No. 2104, Home (General-A) Department dated 10.10.18960. In GO Ms No.235 Home (General-A) Department dated 11.02.1976, Government of Andhra Pradesh, have changed the designation of "Registrar of Books" as "Registrar of Publications". In GO Ms. No. 286 Education, dated 27.03.1973, Government of Andhra Pradesh directed that the Director of Public Libraries (DPL) shall be Ex-Officio Registrar of Publications so as to ensure proper implementation of the provisions of Act in the entire State of Andhra Pradesh. With the help of District Magistrates and the Commissioner of Police Hyderabad City, the Registrar of Publications is implementing the section 9 (delivery of gratis copies), 10 (receipt of copies, 11 (disposal of copies), 11A (copies of newspapers), 18 (registration of memoranda of books) and 19 (Publication of memoranda registered) i.e. the functions relating to "delivery of books" and registration of books".

Sections 3, 4, 5, 7, 8, 8-A, 8-B, 8-C, 12, 13, 14, 15, 15-A, 16, 16-A, 16-B and 17 are dealt with by the District Magistrates / Commissioner of Police. These sections deal with "starting of printing presses and newspapers" and "Penalties".

RECEIPT OF PUBLICATIONS BY THE OFFICE OF THE REGISTRAR OF PUBLICATIONS

As per section 9 (Part-III) of the Act and as per the Andhra Pradesh Press and Registration of Books Rules, 1960 framed by the Government of Andhra Pradesh the Office of the Registrar of Publications receives three copies of every book printed within the state of Andhra Pradesh (rules 4 and 5). Similarly as section 11-A (Part-III) of the Act, the Office of the Registrar of Publications received, one copy is deposited in the 'Reference Library' maintained by the Office of the Registrar of Publications, the second copy is deposited at State Central Library (CL), Hyderabad and the remaining third copy is sent to Parliament Library, New Delhi. The two copies of each issue of newspaper(s) Received at the Registrar's Office is preserved only for two years.

As per Section 19 (Part-V) of the Act and as per rule of the rules framed by Government of Andhra Pradesh quarterly catalogues prepared on the basis of the receipt of books at the Office of the Registrar of Publications, should be published in the official gazette for the information of the public. But this is not being done due to administrative constraints.

CONSTRAINTS IN THE EFFECTIVE IMPLEMENTATION OF THE ACT

The Registrar of Publications, Government of Andhra Pradesh has been facing some problems in the effective implementation of certain provisions of the Act and Rules framed by the Government of Andhra Pradesh Rule 7 (a) states that "every keeper of printing press shall within ten days of the first day of January, the first day of April, the first day of July

and the first day of April, the first day of July and the first day of October each year forward to the concerned District Magistrate or if the press is situated within the limits of twin cities of Hyderabad and Secunderabad, to the Commissioner of Police, Hyderabad a return in the 'format'.... of all the books printed at his press in the quarter immediately preceding the said dates, or if no books have been published at the press, a statement to that effect".

The Rule 7 (b) states that "The Commissioner of police and the District Magistrate shall send to the Registrar within 26 days after the close of each quarter, a consolidated quarterly return ;in ;Form-II ...all the books printed and issued from various printing processes within their respective jurisdictions during the quarter". This provision is not satisfactorily implemented.

The concerned District Magistrate/Commissioner of Police is not able to initiate proper action to get quarterly reports from the printing presses due to their pre-occupation with other important and pressing government business. In the present day government developmental activities getting quarterly reports from the printing presses gets least priority in the scheme of things of the government. The result is that the Registrar of Publications is not able to get quarterly list of publications to initiate action to get such of those publications from the printers as per the provisions of Act and Rules. The provisions of the Act is no;t implemented effectively mostly at the district level. The situation is somewhat better in Hyderabad Police Commissionerate, where sixty per cent (60%) of printing presses have been confirming to the provisions of the Act.

NEED FOR COOPERATION AND COORDINATION

For effective implementation of the Act, the cooperation and coordination of the Government Departments such as Home Department, Commercial Taxes, Municipal Administration, Panchayat Raj and the District Collectorates is very essential. The

declaration submitted at the time of starting a new printing press to the District Magistrate/ Commissioner of Police has to be regularly communicated to the Registrar of Publications so as to enable him to know the state of printing activity in the State and initiate necessary administrative measures to get the printed books, periodicals and newspapers from such printing presses.

NUMBER OF BOOKS RECEIVED

It has been estimated that since 1953 the Registration of Publications has received over 50,000 books and these are maintained as Reference Collections. The Table (See Annexure) provides an idea of the number of printing presses at work in Andhra Pradesh and the number of newspapers, periodicals and books registered at the Office of the Registrar of Publications, Govt. of A.P., between the years 1998-99 and 2003-04

The Office of the Registrar of Publications is maintaining a catalogue of these publications and the quarterly lists have to be published in the official gazette as per the provisions of the Act and Rules. This is not being done at present due to administrative difficulties such as lack of sufficient staff and infrastructure.

BOOK PURCHASE UNDER RRRLF SCHEME

The Rajah Ram Mohan Roy Library Foundation (RRLF), Kolkata provides matching grant for the purchase of books every year to the respective State Governments. The Department of Public Libraries, Government of Andhra Pradesh through press Notification invites specimen copies of books from Publishers and Authors with the condition that "as per the Publication Act, in respect of books printed in Andhra Pradesh, 03 copies must be submitted to the Registrar of Publications.........they should submit the Xerox copy of the acknowledgement from the Registrar of Publications, Hyderabad or any other evidence to the effect that they have submitted 3 copies to the Registrar of Publications".

The condition insist the Publishers/Authors to submit three copies each publication to the Registrar of Publications if they wish to consider their publications for purchase under the said scheme along with one more copy for the said purpose. This condition indirectly compels the Publishers/Authors to conform to the provisions of the Act and receipt of publications for registration at the Office of the Registrar of Publications, Government of Andhra Pradesh is some what encouraging.

IMPLICATIONS TO LIBRARIANS

This Act has no direct bearing on the Librarians /Libraries, except those working at State Central Libraries (SCLs). Some of the SCLs have been receiving a copy of the printed book under the provisions of the Act not directly from the printer but from the assigned agency. In the case of Andhra Pradesh, it is the Registrar of the Act and its role to achieve some sort of bibliographical control directly or indirectly of Indian Publications.

CONCLUSION

This Act is one of the earliest Acts enacted during the British Colonial Rule to have control over Printing Presses and Publications emanating from various part of the country and which may go against the interest of the then British Rulers. After independence the Act has lost its sheen and many provisions have no direct relevance to present day needs. However, the Act continues to be in operation, which enables the government to know the state of affairs of printing presses and printed publications. The Act provides for some sort of 'control' over the printing presses, newspapers and periodicals. Experts feel that there is a common bond between the Press and Registration of Books Act (1867), Delivery of Books and Newspapers (Public Libraries) Act, 1954 and the Copyright Act (1967). They suggest steps for amalgamation of the provisions of the Delivery of Books Act and P.R.B.Act

to make implementation more efficient and less burdensome to the Printers, Authors and Publishers as the case may be.

Andhra Pradesh is one of the few states in the country to have a separate Office of the Registrar of Publications to take charge of printed books and other publications received under the provisions of the Act. The Act is working satisfactorily though not vigorously due to administrative constraints and lack of support and cooperation from the implementing agencies. It appears that the working of the Act is far better in Andhra Pradesh than most of the States of the Indian Union.

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The Delivery of Books and News Papers (Public Libraries) Act, 1954 (Act 27 of 1954) in Kerala

N. Sukumaran Nair

1. INTRODUCTION

The Delivery of Books and News Papers (Public Libraries) Act, 1954 is the amplification of Part III, Delivery of Books, a provision given under The Press and Registration of Books Act, 1867. Objectives of the Press and Registration of Books Act 1867 are:

- To secure information relating to printing establishments and their publications
- To preserve copies of every book and newspaper printed in India
- To regulate printing presses and newspapers and
- To prevent publication of anonymous literature.

The objective is not to control the Press and it does not constitute any restriction on the freedom of the Press within the purview of Art. 19(2) of the constitution.

This Act is divided into six parts. Part I is preliminary. Part II is about printing press and news papers which contains eight sections prescribing particulars to be printed on books and papers; declaration to be made by the keeper of printing press; authentication of declaration; inspection and supply to copies and so on. Part III is on delivery of books with three sections. Part IV is on penalties for violating the rules and it contains nine sections prescribing penalty for printing contrary to rules; penalty for not making declaration; punishment for making false statement; penalty for not delivering books or not supplying printer with maps; recovery of forfeitures and disposal there of and of fines and so on. Part V is on Registration of books which includes registration of memoranda of books and

publication of memoranda registered. Part V A is exclusively on Registration of News Papers. Part VI, the last part contains miscellaneous provisions such as power of State Government to make rules, power of Central Government to make rules and the like.

Part III Delivery of Books makes the printer obligatory to deliver books to the Government. The Rule says, "Printed copies of the whole of every book which shall be printed in India after this Act shall come into force, together with all maps, prints or other engravings belonging thereto, finished and coloured in the same manner as the best copies of the same, shall, notwithstanding any agreement (if the book be published) between the printer & publisher thereof, be delivered by the printer at such place and to such officer as the state Government shall, by notification in the official gazette, from time to time direct and free of expense to the Government, as follows, that is to say:-

(a) in any case within one calendar month after the date on which, any such book shall first be delivered out of the press, one such copy, and

(b) if within one calendar year from such day the state Government shall require the printer to deliver other such copies not exceeding two in number, then with in one calendar month after the day on which any such requisition shall be made by the state Government on the printer, another such copy or two other copies, as the state Government may direct.

The copy delivered pursuant to class (a) above shall be disposed of as the state Government shall from time to time determine. Any copy or copies delivered pursuant to class (b) shall be transmitted to the central Government.

It is the responsibility of the State Governments to implement properly the provisions of this Act and to make necessary amendments as and when required. The state of Andhra Pradesh, Gujarat, Karnataka, Maharashtra, Manipur, Tamil Nadu and West Bengal have

already made amendments to enforce the law and enriched the collections of selected libraries.

As mentioned above The Press and Registration of Books Act, 1867 included norms for the Delivery of Books to libraries and the State Governments for transmission to the central Government. This provision was taken up by the central Government to enact a separate legislation which contains more specific norms for the delivery of books by the publishers. In the statement of objects and reasons the Act says thus: "In order to promote public libraries in India and to encourage scholarship, it is considered necessary to build up good libraries, and for this purpose it is desired to acquire not more than four copies of books and publications in India. One set of books so acquired will be deposited in the National Library Calcutta, and the remaining three sets will be utilized for other important libraries". An amendment was made to this Act in 1956 to bring the news papers with in the purview of the Act so that the news papers may also be available in these public libraries for reference and record.

Provision for the delivery of books in this Act is thus:

(1) Subject to any rule that may be made under this Act, but without prejudice to the provisions contained in section 9 of the Press and Registration of Books Act, 1867, the publisher of every book published in the territories to which this Act extends after the commencement of this Act shall, notwithstanding any agreement to the contrary, deliver at his own expense a copy of the book to the National Library at and one such copy to each of the other three public libraries within thirty days from the date of its publication.

(2) The copy delivered to the National library shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner

as the best copies of the same, and shall be bound, sewed or stitched together, and on the best paper on which any copy of the book is printed.

(3) The copy delivered to any other public library shall be on the paper on which the largest number of copies of the book is printed for sale and shall be in the like condition as the books prepared for sale.

The Act contains rules for the delivery of news papers to the designated libraries as per the stipulations of the central govt. The clause about penalty says, "Any publisher who contravenes any provision of this Act or any rule made there under shall be punishable with fine which may extend to fifty rupees (and , if the contravention is in respect of a book, shall also be punishable with fine which shall be equivalent to the value of the book), and the court trying the offence may direct that the whole or any part of the fine realized from him shall be paid, by way of compensations, to the public library to which the book (or news paper , as the can may be) ought to have been delivered.

The central govt. may, by notification in the official gazette make rules to carry out the purpose of this Act. It is evident form the foregoing discussion that the state government can build up a depository library of books in the regional language or enrich the collections of selected public libraries by invoking the provisions of the 'Press and Registration of Books Act, 1867'.

2. PUBLISHING SCENE IN KERALA

The publishers in Kerala may be broadly grouped into two Government publishers and Non-government. Govt. publishers are a few in number. They include State Institute of Languages, State Institute of Encyclopedic Publications, State Institute for Children's Literature, Public Relations Department, Rural Development Dept etc, notwithstanding the fact that all most all departments bring out publication of some sort. Out of them State

Institute of Languages and the Institute for Children's Literature regularly publish a good number of books. All others are publishing periodicals as monthly publications. The University of Kerala and the University of Calicut also publish text books and general types of books.

2.1 Non-government Publishers

The major publishers in Kerala are in the private sector. There are two publishers associations functioning in Kerala. They are

- All Kerala Publishers and Book Sellers Association which has about 30 members; and
- Malayala Prasadhaka Sangham (MAPS) which has about 40 members

It is interesting to note that a number of individual publishers are coming up every year that seem to end up with only one or two publications for which the author and publisher will be one and the same person. Big and medium level publishers bring out newsletters every month containing the list of books published by them. Tracking the individual publishers is a Herculean task since they escape our eyes very often. These publishers are identified while sample books are received for consideration under bulk purchase schemes or for best book awards. Neither the publishers' associations nor any other agencies have compiled a directory of publishers so far.

2.2 Sahitya Pravarthaka Co-operative Society (SPCS)

Till the middle of 20th century writers in Kerala were exploited by a few publishers who monopolized publishing industry. Writers were not properly paid for their intellectual contribution. They were given a few copy of books which they have to sell by themselves to eke out a living. To tide over this sad state of affairs the writers joined together and

formed a co-operative society named Sahitya Pravarthaka Co-Operative Society (SPCS) in the year 1945. Members purchased shares and raised a capital of Rs. 60 lakhs. They established their own printing press and started publishing their books. Writers felt proud of their venture and they got profit of their intellectual output. This is a unique achievement of the writers which has no parallel anywhere in the country.

The SPCS established their own chain of bookshops named National Book Stall (NBS) in the major towns of Kerala for promoting sale of their publications. This was a great success and was appreciated by the booklovers in the state. Later the NBS started selling other publications also through their sales counters. The Society has so far published 6963 titles. They have accepted 6155 titles for distribution from others during the period. Even though the activities of the Society were vigorous in the past it shows symptoms of decline now-a-days due to many reasons.

2.2 Quantum of Publications

There is no record as to the exact number of books brought out in Kerala in a year. However, Kerala Sahitya Akademi tries to build up a depository of Malayalam books in their library. The number of books collected by them in the last four years is shown in Table1.

Table 1. No. of Malayalam books collected by Kerala Sahitya Akademi

Period	Number of books received/acquired
2001	955
2002	1020
2003	1035
2004	1200

The table gives the number of Malayalam titles alone. On a general enquiry it was revealed by the publishers that nearly 10% of the publications in Kerala are in English. Therefore the total number of publications from 2001 to 2004 may be considered to be ranging from 1050 to 1300.

3. IMPLEMENTATION OF THE PRESS AND REGISTRATION OF BOOKS ACT, 1867

According to the Press and Registration of Books Act 1867 a few publishers are sending copies to the Public Relations Department (PRD), Govt. of Kerala. In the survey conducted it was found that PRD received 94 books during 2004 and 95 books during 2005.Records of the previous years are not readily available. This number is considered to be less than 10% of the annual publications in the state. It is high time that the state government modify the Act as was done by the states of Andhra Pradesh, Karnataka, Tamil Nadu etc. to ensure that the copies of all books published are sent by the publishers to the institution designated for the purpose by the government. In the survey it was revealed that only one publisher was very keen on sending copy of all the books to Public Relations Department.

4. IMPLEMENTATION OF THE DELIVERY OF BOOKS AND NEWSPAPERS(PUBLIC LIBRARIES) ACT, 1954

In the absence of a comprehensive directory of publishers in Kerala, the investigator had to consult the following documents, institutions and individuals in order to prepare a list of publishers.

i. The secretaries of the two publishers' associations.

ii. The List of publishers who participated in the Publishers' Meet organised jointly by the Kerala State Library Council and the National Library, on 23rd January 2004 in Trivandrum.

iii. The list of publishers who submitted their publications for consideration under the bulk purchase scheme (Matching scheme of assistance by the RRRLF) in Kerala for the last three years.

iv. Catalogue of prominent book sellers in Kerala

v. Malayalam Grandhasoochi published by the Kerala Sahitya Akademi.

A list of 150 publishers could be located from the above sources. Out of 150, nearly 50 publishers belong to either medium or higher category. All others are minor publishers or individuals. A short questionnaire to collect information regarding the number of publications brought out annually by the publishers from 2000 onwards and the number of books sent by them to the National library, under the 'Delivery of Books and Newspapers (Public Libraries) Act, 1954 was sent to 50 selected publishers. In spite of repeated reminders only 16 publishers responded. The following tabular statement provides information received from the publishers.3

Table 2 – No. of books brought out by different publishers.

Sl. No.	*Name of publishers*	*2000*	*2001*	*2002*	*2003*	*2004*	*2005*	*Total*
1	CICC Book House	16	17	20	29	40	38	160
2	Chintha Publishers	35	15	21	20	15	15	121
3	DC/Current Books	-	135	121	171	217	82	726
4	Fabian Books	16	19	17	15	19	18	104
5	Haritham Books	-	23	112	109	110	130	484

6	Kerala Sahitya Akademi	14	-	11	10	08	18	61
7	Poorna Publications	86	83	94	110	112	158	643
8	Prabath Book House	104	97	112	107	116	108	644
9	Saindhava Books	18	47	73	85	64	112	399
10	SPCS	-	272	118	35	15	16	456
11	State institute of Children's Literature	49	16	-	17	34	25	141
12	State Institute of Language	50*	50*	50*	50*	50*	50*	300
13	University of Calicut	9	11	10	8	12	12	62
14	University of Kerala	20*	20*	20*	20*	20*	20*	120
15	State Institute of Encyclopedic Publications	12	-	03	-	16	18	49
16	Current books, Thrissur	69	50	83	78	81	94	455

* These figures are approximate since they have given only the total number of books for the six years from 2000-2005.

It emerges from the table that DC/Current – combination is the biggest publisher in Kerala.

Publications of DC Books, Haritham Books , Poorna Publications, Prabhat Book House and Saindhava Books include childrens books also most of which are printed in English. Most of the publishers keep silence regarding the copies sent to the National library, . Chintha Publications and DC/Current Books replied that they regularly send copies of all publications to the National Library. Poorna publications send all their publications

to the Public Relations Dept, Govt. of Kerala but send only a few books to the National Library. While enquiring over phone some publishers pleaded ignorance about the Act and offered to send books regularly in future. Information collected through phone and other sources reveal that the books sent by the publishers to the National library under Delivery of Books Act range from 55 to 60 percent of the total output.

While contacting over phone it was revealed by Sri. K.K. Kochukoshy, General Editor, Indian National Bibliography, that they are receiving between 700 and 800 books from Kerala every year for inclusion in the National bibliography. Before printing the volume they usually collect some more titles from other sources also. But the Sahitya Akademi Kerala could collect 1200 titled during 2004.

5. ATTEMPTS TOWARDS BOOK DEPOSITORY

National Book Depository is a place where all the books published in the nation in all languages are collected and organised on scientific lines and provided for reference. Depository collection is very precious as it embodies the cultural heritage of the country. As far as Kerala is concerned, the national depository is at a far off place and a person who wishes to consult a Malayalam book available in the depository will find it difficult to go over to for the purpose. Another thing is that the National library is getting only about 60% of the books published in Kerala. To keep track of the Malayalam publications by sitting in is also impracticable. It may be noted that many of the Indian states are enriching their collection by receiving all the publications in their regional language by invoking the relevant provisions of the Press and Registration of Books Act, 1867.

In Kerala the public library set up is entirely different from that of other parts of the country. The Trivandrum Public library established as early in 1829, designated as the State Central Library is the only public library directly run by the government. All the other public libraries numbering around 6000, are run by voluntary organizations and affiliated

to the State Library Council established on the basis of the Kerala public libraries Act 1989.

5.1 Attempts at the State Central Library

While the investigator was working as the State Librarian, steps were initiated to establish a depository of Malayalam books in the State Central Library Trivandrum. The project was approved by the Govt of Kerala and the Malayalam Book Depository was inaugurated by the then Minister for education, Kerala on 19th Oct 1989. It was decided to purchase all the publications in Malayalam to build up collection in the beginning and to continue the practice until books are freely received from publishers as per the directions in the Press and Registration of Books Act, 1867. The depository unit functioned for two years by procuring more than 90 % of the publications in Malayalam. It is interesting to note that the National Library Calcutta could identify from this collection several Malayalam titles which were not received in Calcutta, while preparing the National bibliography during 1990 and 1991. Since the Act could not be suitably amended and my successors have not taken personal interest in the matter the Malayalam depository ceased to function.

5.2 Attempt by the Kerala Sahitya Akademi

Kerala Sahitya Akademi, the autononomous institution established for the promotion of Malayalam language and literature, maintains a good collection of Malayalam books published from 1958 onwards and brings out bibliographies of Malayalam books once in five years. They have already published seven volumes of bibliographies, the 7th one covering the period 1991-1995. The number of books collected by the Sahitya Akademi up to 1970 was 26571. During 1980 the number reached 34402 and by 1990 the number rows to 44304. After the publication of 7th volume in 1995 the publication policy was changed. Instead of print version, it was decided to bring out future publications in the electronic media. Thus

a computer data base of the books acquired by the Kerala Sahitya Akademi till 2000, numbering 56000 volumes, was prepared and the first CD was bought out in 2005.

It may be pointed out that the Sahitya Akademi is getting only a few books from the publishers free of cost. All the other publications are procured by purchasing them as and when they are brought out. The librarian and a few other officials are keenly watching the publication of books through various catalogues, newspapers, books reviews etc. and get information from readers and other public who are book lovers. The Shaitya Akademi claims that it collects 90 to 95% of the books published in Malayalam.

6. SUGGESTIONS

For the effective implementation of the Delivery of books Act, the following steps may be taken by the Central Government

i. Awareness program to Individual Publishers

It was already mentioned that a Publishers' meet was held in Trivandrum in January 2004.That was helpful in making the publishers aware of the purpose and important of the Delivery of Books Act. Such awareness programmes may be made a regular feature once in a year in every state.

ii. Propaganda among Publishers' Associations

The Central Government may address the Publishers Associations of every state highlighting the importance of preserving all the publications at one place in the country and bringing out a comprehensive bibliography for reference at present and in future. They may be kept informed of all the developments taking place in the field.

iii. Role of RRRLF

The Raja Rammohun Roy Library Foundation provides huge amount of matching assistance to the State governments for making bulk purchase of books for distribution among the Public Libraries. The Foundation may give direction to all the State governments not to consider the books of such publishers who do not comply with the Delivery of Books Act.

iv. Publicity through website of the National Library

The National Library should make arrangements to put the details of all the books received under Delivery of Books Act in their website so that publicity at global level could be expected for all the publications. This will prompt publishers to send their books without fail.

v. Designation of State Level Agencies

In each state an Agency may be entrusted to monitor the publishers and to ensure that copies of all publications are sent to the National Library under the D B Act. The Depository library, State Central Library or any other appropriate institution may be designated to perform this function.

vi. The Penal Clause

Penal clause may be made more stringent to take action against those publishers who purposefully violate the D B Act and refuse to send books to the National library.

vii The number of books to be sent to the library at present is for. The DB Act may be amended to reduce the number to 2, one copy to the National Library and another to the State Depository designated for the purpose so as to make the purpose of the Act meaning full. This will also encourage the publishers to comply with the Act.

7. CONCLUSION

It was already mentioned that an attempt was made to develop a book depository in the State Central Library but could not meet with success. Now the State Library Council (KSLC) in Kerala, is the appropriate body to collect and preserve all the Malayalam books published in the state and outside. Provisions in the Press and Registration of Books Act 1867 may be invoked to make it obligatory on the part of the publishers to send at least one copy of their publications to the State Library Council. The KSLC should ensure that copies of all the books published shall reach them without fail. These books, on receipt, shall be classified and catalogued and is made available in the web-enabled OPAC so that all libraries can have access to them. This reduces the work of the individual libraries and help maintain uniformity in class numbers throughout the state. A bibliography of Malayalam books published in Kerala and out side can be brought out annually using the depository collection. The National Library can make use of these documents to identify the gaps in their depository collection and to improve the contents of cumulated bibliography published by them.

The Delivery of Books and Newspapers Act ((1954) with special reference to Delhi Public Library

Banwari Lal

The principal of legal deposit in various countries all over the world has been well established for nearly four centuries. In India, the principle of legal deposit was first incorporated in the Press and Registration of Books Act 1867. Under this Act, there is a legal obligation on the publisher to deliver a copy of each book at such place and to such officer as the State Government may notify, free of cost. The Delivery of Books and Newspapers (Public Libraries) Act, 1954 makes it mandatory for publisher of every book published in the country (excluding J&K) to deliver one copy free of cost to the National Library, Kolkata as well as to three other public Libraries specified by government, within 30 days of the date of publication. The Government of India has notified Delhi Public Library, Delhi, State Central Library, Mumbai and Connemara Public Library, Chennai as the three depository libraries under the Act.

OBJECTIVE OF DELIVERY OF BOOKS & NEWSPAPERS ACT

The primary goal of D.B. Act is the accumulation and preservation of large collection of reading material of Indian origin in different languages and making them available for use and to maintain a register containing particulars of the library materials and publish a National bibliography on a monthly/quarterly basis.

DELHI PUBLIC LIBRARY – AN OUTLOOK

The Delhi Public Library was established in 1951 by the then Ministry of Education, Govt. of India with financial and technical assistance from the UNESCO as a pilot project. Presently, Delhi Public Library is functioning under the administrative control of Ministry

of Culture, Govt. of India. From a small library located in Old Delhi, it has since been developed into a premier Public Library System of the country in the Metropolitan city of Delhi consisting of a Central Library, a Zonal Library, 3 Branch Libraries, 26 Sub-Branch Libraries, 6 Community Libraries, 23 Resettlement Colonies Libraries, 7 Reading Rooms, One Children Library, One Police Personnel Library and One Braille Library, 26 Mobile Service Points and 29 Deposit Stations in the Union Territory of Delhi. Besides providing free library services to the people, children and adult alike, irrespective of any distinction of sex, caste and creed and religion, the DPL also look after their recreational needs to inculcate civic habits among its members and harness inner artistic potentialities by providing a platform under its social education Programme. The DPL is the biggest Public Library System in India and busiest Public Library in South-East Asiahe library has been making rapid strides as a centre for dissemination of knowledge and culture. It is increasingly felt that the library should not merely serve as an efficient centre for lending of books, but should grow as a living organization devoted to promote intellectual quests, a sense of belongingness among the readers motivated by a deep sense of social purpose. Thus DPL is providing the traditional library activities such as issue of books & journals to the readers and it has also been continuously engaged in diversifying its activities for overall personality development of its readers by organizing various cultural meets with the basic objective for eradication of illiteracy and spreading of knowledge.

The DPL organizes group activities among the adult members in the Central Library for the development of individual's inner talent/aptitude. At present there are number of groups are functioning like Drama, Music, Social Study, Literature study, Music coaching, Naturopathy and Homeopathic studies etc. It also arranges books exhibitions, seminars, film shows, television programmes and lectures etc. for the reader's benefits and also arrange the annual competitions to encourage cultural interests of Adults, Children and visually handicapped members. Prizes and Certificates are given to members. It also operates a

gramophone records/audio/video cassettes lending service for its registered members for free of charge.

The DPL also provides Braille specialized service which is devoted to cater to the reading needs of the visually handicapped and cultivates reading habits among them. The library provides its services to the prisoners in the Central Tihar Jail of the National Capital Territory of Delhi.

4. IMPLEMENTATION OF DELIVERY OF BOOKS AND NEWSPAPERS ACT, 1954 IN DELHI PUBLIC LIBRARY

Delhi Public Library has been designated as 4th recipient Library under the Act since 16th Dec., 1981. Since then DPL is receiving books & the reading materials in all Indian languages from all parts of the country. DPL started the accessioning & processing work of Hindi, English Books with the help of skeleton staff. Since 1984 the intake of the books received under Delivery of Books Act by the end of March 1987 was 23,120 only. Language Librarians in Tamil, Telugu, Kannada, Punjabi, Oriya and Sanskrit languages were appointed in the year 1989 and since then job of accessioning and processing of books started in all the above languages.

3.1 ACQUISITION OF BOOKS-LINKAGE WITH D. B. ACT

The act envisages the publishers to supply the copies of their publications to four recipient's libraries in the country. However it has been noted that most of the publishers are not submitting under the provision of the Statute. To boost and influence the publishers Delhi Public Library decided to link the acquisition of Books in English, Hindi, Urdu and Punjabi Languages with D.B. Act.

Under the provisions of the new purchase policy, Library management decided that multiple copies requested for the entire system be purchased directly from the publishers who submit their books under the provisions of the D.B. Act. DPL is entitled to receive one copy of each and every publication free of cost under the provision of Delivery of Books Act, the book purchase should be linked with the receipt of books under the Act. Book reviews published in various periodicals and newspapers as well as publishers catalogues be also utilized for acquiring books under the Act and to select titles for purchase. After linking of D.B. Act and New Purchase Policy in the year 1991 the receipt of books under the D.B. Act has been increased DPL is receiving 11,000 to 12,000 books annually from the publishers under the Act. It has been observed that even after linkage the receipt of books is not on very higher side. The publishers submit their publications under the Act after many reminders.

After receipt of book, these are accessioned and processed after proper acknowledgement to publisher. Books received under the D.B. Act are kept in the Reference Section of the Zonal Library, Sarojini Nagar, New Delhi. These books are kept only for the purpose of consultation of the readers. DPL has received 2,43,665 number of books in all languages up to December 2005 under the Act (Annexure-A & B)

3.2 ACQUISITION OF PERIODICALS

Besides books, all the popular periodicals and newspapers published in the country are also received under the act in all the languages. After recording in the Kardex these periodicals are transferred to ZLS and kept in the Reference section for reader's use. At present approx. 1500 periodicals are received in all languages by D.P.L after repeated reminders to publisher for non receipt of periodicals.

COMPILATION OF MONTHLY LIST

Monthly list of new arrivals are prepared every month in all languages based on the books received under the Act. These monthly lists are sent to other recipient libraries of the country. These lists are most useful to other libraries as a book selection tool.

VISITING BOOK FAIRS

Staff members of this division used to visit the Book Fair every year (Delhi / World Book Fair) and explain the publishers about DB Act and New Purchase Policy. It also collects books/catalogues from them during the fair.

3.5 FUTURE PLAN FOR COMPUTERIZATION ACTIVITIES OF D.B. ACT DIVISION

Creating bibliographic database of all the books received under D.B. Act in all the Indian languages.

Creating bibliographic database of all Indian periodicals received under the D.B. Act.

Creating database of all the Govt. Publications received in D.B. Act.

Creating bibliographic database of children books received in D B Act in all the languages.

4. NEED FOR REVIEW OF DELIVERY OF BOOKS AND NEWSPAPERS ACT

Implementation of the DB Act in India for over nearly five decades has not been satisfactory and the number of books actually being received has been much less than the

number of books being published in the country. The low level compliance has defeated the purpose of the Act, which is to preserve the intellectual and cultural heritage of the country for compilation of a comprehensive national bibliography for the purpose of reference & research. This act has also become outmoded in view of rapid developments in the field of information technology which has resulted in a massive increase of non print material. In this context there is need to undertake a comprehensive review of the Act to ensure better compliance and also to ensure more comprehensive coverage, particularly of electronic publications. Various suggestions were received from recipient Libraries and draft Act is to be submitted for Cabinet's approval before enactment. It is strongly felt that there should be an amendment to the existing D B Act provisions to make the Act more popular and user friendly.

5. SUGGESTIONS

5.1 Review of the different Act in Vogue

There is need to review all the acts in vogue for suitable amendments, which will ensure increase in the receipt under the Act as there are different book deposit acts such as Press & Registration Act, Copyright Act, DB Act etc prevailing in the country. Publishers are feeling difficulty in submitting books under all the above Act due to increase in printing & paper cost etc.

5.2 Indian Depository System - Decentralization

In order to reduce the burden of legal deposit on Indian publishers, it is proposed to decentralize depository system whereby English and Hindi language books will be deposited to all four recipient Libraries. To keep the National Library's National *status as* well as its importance as the apex library of this country, all the language books have to be deposited

to this library. Thus language publishers will have to sent only two copies of their publication. As far as books in other languages are concerned the publisher shall deliver the books as follows.

a. State Central Library, Mumbai & - Marathi, Gujarati & Konkani
National Library, Kolkata

b. Connemara Public Library, Chennai -Tamil, Telugu, Kannada & Malyalam
National Library, Kolkata

c. Delhi Public Library & - Urdu, Punjabi, Kashmiri & Dogri
National Library, Kolkatta

d. National Library, Kolkatta - Bengali, Assamese, Oriya and other North East languages.

5.3 Postal Charges

Burden of postal charges will be borne by the publishers. This burden will decline under the decentralized system of legal Deposit of Indian language publications. The publishers after factoring this into price structure can recover the cost from the purchasers/ consumers.

5.4 Penalty Clause

The clause No.(5) regarding penalties is to be amended suitably. Any publisher who contravenes any provision of this Act or of the rule let there be provision under the Act for penalty with fine. Penalty should be five times the cost of the library materials in first instance and ten times the cost of the library material for second and subsequent offences. There should be provision for penalty for compounding of offences.

5.5 Extension of the Act to other Forms of Material

The clause No.(2) "Books and Newspapers" has to be extended to other non prints forms, like, audio/video cassette CD, multimedia, CD-Rom etc to remain in time of electronic age of information so that recipient Libraries can stock of these heritage materials also for posterity purpose.

5.6 Legal Deposit Committee

In order to facilitate coordination and enable issues to be addressed on a continuous basis, it is necessary that a legal Deposit committee be established to monitor compliance, training & publicity and prepare annual reports on the affairs of the four Depository libraries.

5.7 Uniform System for Numbering

In the absence of any uniform or comprehensive system for numbering it is very difficult to assess the information regarding the number of books and other material published in the country. There is need to encourage all Indian publishers to maintain uniform numbering system i.e. ISBN/ISSN.

Resource Sharing

Recipient Libraries should evolve a policy among themselves for microfilming important newspaper and periodicals concerned with their areas of interest. Inter library co-operation should also be established among the recipient Libraries for better functionring of the Act. Networking of all the Depository Libraries for Resource Sharing is very essential. All the four libraries should have computer with GIST terminals and cards which can be interlinked for networking. The required hardware and software should be compatible for linking to uniform classification & cataloguing of books under the Act is effected to avoid duplication.

5.9 Government Publications

There is lack of response from the Govt. agencies as regard to the receipt of Indian Official Documents under the Act despite several reminders. It is difficult for recipient Libraries to know the exact number of Govt. publications brought out in a year. To over come this problem, the CSL can be persuaded to send monthly list of Indian Official Documents to all recipient Libraries for enabling them to acquire the same under the Act and the Ministry of Culture can also be requested to issue circulars to Govt. Agencies to send their publications under the act to all recipient libraries regularly.

5.10 Rare Material received under the Act.

Since most of the material received under the D B Act is to be preserved for posterity. Efforts should be directed towards identification of rare materials based on the local user needs. Regarding preservation of material, all the Depositary libraries under the Act be allowed to go in for microfilming of material by private agencies and separate annual grant for each recipient library should be allocated by the Ministry of Culture for this purpose. To avoid the duplication microfilming of material be carried out on region basis after consultation with the recipient Libraries.

5.11 Regular Meetings for Coordination among the recipient Libraries

The meetings should be organized alternatively at Chennai, Mumbai, Kolkatta & Delhi of the recipient Libraries with definite Agenda to evaluate the progress in implementation of the Act as well as recommendations made from time to time in such meetings. Minutes of such meetings to be drawn to exchange periodical reports with each other to remain aware of the activities so as to ensure regular information exchange.

5.12 Centralized Cataloguing & Classification

The centralized Cataloging and Classification should be done at the National Library which may help the other recipient libraries to save their time and to take the best use of their resources in expanding their library services. The book received by each Zone be classified and catalogued at the respective Zones and distributed there from to other Zones where these may be added to stock immediately after their accessioning.

5.13 Exemption Clause

The D B Act does not incorporate any exemption clause. However it is desirable to introduce exemption clause to enable the Depository Libraries to reject ephemeral material like railway time tables pamphlets and posters which have no shelf value. Such discretion should rest with the Director of the Depository Libraries. In U.K for instance publishers are not required to deposit internal reports, examination papers, local transport time tables, all desk calendars and posters unless a written demand is made by the Library.

5.14 Deposit of Newspaper

There is no effective monitoring of compliance to the act. Therefore present situation in the depository libraries is chaotic. Newspapers are simply dumped whereas there is actual shortage of space. It is accordingly necessary to incorporate a clause in the new legislation allowing to use their own discretion by the respective depository libraries to choose the copies of the newspapers as per their requirement and availability of space. Similar freedom these libraries should also have to obtain microfilm copies instead of hard copies.

5.15 Legal Deposit to National Subject Libraries

In addition to depository libraries it is proposed to incorporate a clause regarding National Subject Libraries to be designated from time to time by the Govt for the purpose of legal deposit. A suitable clause in the legislation may enable Govt to designate the National Medical Library, National Agricultural Library, National Science Library etc. If so required in future let the National Library Kolkata continue to receive one copy of each work in respect of these specialized Subjects, the second copy of such library material relating to Medicine, Agriculture, Science and other specialized subjects could be delivered to National Subject Libraries instead of three Public Depository Libraries.

Legal Deposit of Electronic Publications

Computers and networks have changed society and out way of thinking and living. During the last quarter of the last century a new information and network society evolved. The development of e-books is part of this history, in turn changing the whole book industry.

E-book technology has a long way to go before it can equal the readability and richness of traditional books. Nevertheless, e-books have characteristics that in some ways supersede those of traditional books being more flexible and accessible than paper books will ever be. E-books are a new, self-contained medium that will have an enormous impact in time on society. Modern society is unthinkable without printed books. E-books make society thinkable without printed books.

E-books, or electronic books, can be self published or published while they are still works in progress, they can be published at low cost and made instantly available to the massive audience of the world wide web, and writers and publishers are beginning to explore the potential this offers.

Depending on scale and pace, the diffusion of E-book technology will also affect the rest of the book industry. In a research study made for the Association of American Publishers, Andersen Consulting predicts e-book sales will represent 10 percent of the total book market in 2006. If this prediction partly comes true, no part of the book industry will be unaffected.

There is, in my opinion, a great deal to be lost in an electronic book. If we look ahead ten years, we will see how E-Books might destroy World literature. Todays novels are published and sold for a price around $ 5-10 paperback, $20-40 hardcover. With E-Books, there would be no cost of publishing at all. Anyone could type up a book and put it into "E-Book" format, then send it to same online "E-Book Store". The price of these books would be exceedingly low because there are virtually no costs at all to the "E-Book Store" themselves.

India will match the world as far as e-book is concerned as computer literacy is growing there is also hue and cry for e-books. Companies like Digital Publishing Solutions are working in India to provide solution for Digitization and On-line delivery of the books for Libraries, Institutions, Publishers or authors.

With the emergence of electronic publication a clause should be incorporated in the legislation to facilitate on line deposit of electronic publications. There is a global trend towards extending legal deposit to cover digital publication in order to maintain comprehensive national achiever. However, including digital publications in legal deposit, regulations is not enough to ensure long term preservation of these publications. National and other Deposit libraries are at the forefront of Research & Development in the area of digital preservation Strategies.

CONCLUSION

The authorities of the recipient libraries should meet at least once in a year to review the program and the activities of the Act. Some of the suggestions have been presented in the paper. On the basis of this, I hope that the Conference would recommend the concrete solution for amending the Act. The emergence of electronic media, a Clause on electronic publications should be incorporated in the Act.

The 50 Years of the Delivery of Books and Newspapers Act (1954)

R.Ramachandran

INTRODUCTION

The Delivery of Books and Newspapers (Public Libraries) Act 1954, has completed its 50 years. This regional seminar at has given an opportunity to get an idea about the achievement of our country in fulfilling the objective of the Delivery of Books Act. This seminar aims at analysing the performance of the Act and to suggest the ways and means for its better implementation and finally build an exhaustive collection of country's cultural and intellectual heritage in readable format. There are two laws in the country regarding deposit of copies publications by the publishers or printer, as the case may be , free of cost, to designated authorities. These are the press and Registration Act, 1867, and the Delivery of Books and Newspapers (Public Libraries) Act, 1954. Seven copies of the book that is 3 copies under PR. Act and 4 copies under the Delivery of Books Act have to be delivered to the designated authorities. The National Library, Kolkata used to receive one copy of every publication deposited under the P>R. Act after independence till he enactment of the Delivery of Books Act 1954.

THE DELIVERY OF BOOKS (PUBLIC LIBRARIES) ACT, 1954

The Government of India enacted the Delivery of Books Act (Public Libraries) Act 1954, Which was amended in the year 1956 to cover the newspapers and serial publications. Some of the provisions of the Act reproduced below:

i) Section 3. Delivery of Books to Public Libraries".:........The Publisher of every book published in the territories to which this act extends after commencement of this act

shall, not withstanding any agreement to the contrary, deliver at his own expense a copy of the book to the National Library at Calcutta and one such copy to each of the other three libraries within thirty days from the date of its publication."

ii) Section 3A. Delivery of New papers to public libraries. ".......the publisher of every newspaper, published in the territories to which this Act extends, shall deliver at his own expense one copy of each issue of such newspaper as soon as it is published to each public Library as may be notified in this behalf by the Central Government in the official Gazette." of India.

iii) Section 5.Penalty Any publisher who contravenes any provision of this act or of any rule made there under shall be punishable with fine....."

According to this Act one copy of every publication was to be sent to

1. National Library, Calcutta
2. Connemara Public Library, Madras;
3. Delhi Public Library, New Delhi; and the
4. State Central Library, Bombay

PUBLIC LIBRARIES:

An analysis of the receipt of Books reveals that about 25 to 30 % of the Publications are being delivered by these four depository libraries. The recipient libraries have been following the method of persuasion instead of taking any legal action against the defaulters. Though there exists a penal provision for the defaulter publishers, but in he history of last fifty years of its implementation, no punitive action has been taken.

RECEIPT OF BOOKS UNDER DELIVERY OF BOOKS ACT

WITH THE ENACTMENT OF THE DELIVERY OF BOOKS (PUBLIC LIBRARIES) 1954

(Delivery of Books Act) books began to pour in national library in early years. The other three Delivery of Books Act recipient libraries also began to receive books under the Act. The highest number of publications received in a year in national library was 37,311 in the year 1956-57, the first year of receipt after the amendment of the act. An analysis of the yearly receipt of books in the National Library under the Act reveals that, there was a gradual decrease in it. The average receipt of the library in 1950s was 26,000, in 1960s it was 19,000, in 70s 18000 and in 80s it was 16,000. A comparative chart of the receipt of books under he Act by all the four libraries from 1992-93 to 2003-04 is given below for a clear picture:

SI. No.	*Name of libraries*	*92-93*	*93-94*	*94-95*	*95-96*	*96-97*	*97-98*	*98-99*	*99-2k*	*2k-01*	*01-02*	*02-03*	*03-04*
1	Connemara Public Lib	7637	6489	6079	6431	6818	8123	7745	9612	10544	12392	12893	12373
2	State Central Library	5827	9153	9850	8268	9123	9680	7840	10653	12671	12448	12537	11572
3	Delhi Public Library	16014	15007	13004	14613	13750	9745	12388	10525	12511	13383	12487	10006
4	National Library	18051	13824	14525	14883	12504	13014	15922	20012	19961	18212	20309	21115

Table 1. Official data of the respective individual institution

COLLECTION :

The above-mentioned figures suggest that National Library, Kolkata has been receiving comparatively a higher number of books than the other three libraries. The annual receipt of the Connemara Public Library, Chennai, State Central Library, Mumbai and Delhi Public Library, New Delhi on an average has remained around 8000, 9,500 and 13,000 and whereas the annual receipt of the National Library on an average was around 16,000. Even the highest receipt under Delivery of Books Act by the National Library stands to be the one third or even lesser than the total number of books published annually in India. The partial success in receipt under the Act suggests a complete overhaul of the Act and its implementation.

MONTHLY ACQUISITION LIST:

Though, there are four Delivery of Books Act recipient libraries in India, but it is the National Library Kolkata, which has remained more concerned in building the collection under the Act. It has taken Delivery of Books Act awareness programme in different states, which has yielded a good result. The National Library has also been forwarding the monthly Acquisition List (of English Books) to the other Delivery of Books Act recipient libraries without being reciprocated by them except the Delhi Public Library. The National Library has to ensure that the provision of the exchange of monthly bibliographic data among he four Delivery of Books Act recipient libraries is fully implemented. This will not only help in building the collection but also help in having comprehensive bibliographic control over Indian publications.

EFFORTS:

In recent times the National Library has taken serious note of default regarding non-receipt of publications from publishers and conducted Delivery of Books Act awareness programme in different states of India. We have written in this regard to the State Government and requested them to purchase only those books, which have been deposited to the National Library and other notified public Libraries. Bulk purchase under RRLF fund is also to be purchased on the condition that the titles have been submitted to the National Library and other notified public libraries and acknowledgement to that effect have been procured.

One of the main reason for not responding willingly to the demand of the Act may be the misconception regarding the capability of processing, preserving and disseminating of books in a library which situated away from the language speaking area. It may be noted that National Library is a library of Libraries of National Indian languages as well few foreign languages under one administrative set up. These language libraries are managed and run by language knowing library professional and are known as language divisions of the National Library e.g. Hindi, Division, Marathi Division, Gujrati Division, Sanskrit Division, Urdu Division, etc. The Books deposited in the National Library are being preserved for the Posterity and every possible measure is being taken for keeping each and every publication for centuries. Hence depositing a copy of each publication in Indian languages in the preserving centre of ultimate resort apart from fulfilling the demand of the law is not a waste, but is in the interest of the publishers themselves.

AWARENESS ABOUT THE DELIVERY OF BOOKS ACT:

It has been observed that there is insufficient awareness of the Delivery of Books Act. As a result the deposit in the National Library as well as in other *notified public*

libraries is not adequate. The National Library has taken up some immediate measures to bring Delivery of Books Act to the notice of the publishing community. For the purpose seminars, publishers meet have been organized. There are thousand of publishers in organized as well as unorganized sector spread all over India and it is not possible for the National Library to reach each of them and persuade them to deposit their publications under the Act. The library has been writing to this effect to the Government and the publishers association to co-operated in implementing the Act with its full vigour. One bottleneck in delivering the books to the four libraries under the Act has remained the postal charges. The publishers have to bear the charges for sending the books to the libraries. The National Library have taken the note of it and recommended that the postal charges shall be waived or be paid by the notified public libraries.

ADVANTAGES:

They fulfill the obligation of the law and escape penalty;

The books deposited in the National Library are included in Indian National Bibliography with out cost;

The INB may serve as a trade bibliography and help the publishers in promoting the sale of their publications;

The National Library has a well equipped preservation laboratory, which takes every possible measure (this includes lamination, encapsulation, mending and binding and even conservation in CD) to preserve the book for the posterity. In certain cases the cost of preservation is much more than the cost of the book;

The publishers by delivering books under the Act help in building a comprehensive national collection.

DIS-ADVANTAGES:

In case of non compliance of the Act, the publisher evade constitutional provision, become defaulter and liable to penal action;

They make their business prospect vulnerable, as they do not qualify for consideration for **Bulk Purchase Scheme** of different Government and Semi Government Organizations;

Their contribution in development of knowledge & information through their publication shall not easily be assessable, as the publishers may not have their own publications after few decades.

CONCLUSION:

The National Library, Kolkata is in the process of total computerization of its services. The data of documents received and preserved in the National Library may be viewed in near future through internet any where in world. The Indian National Bibliography has already been computerized and regularized. Thus a consorted effort to build up a fine national collection is essential. The developed nations of the world have their book deposit laws. The mechanism helps to build a fine collection and exhaustive collection of their heritage in shape of books and other reading materials. In India too, the depositing of a copy of each publication within 30 days is mandatory by law. The Indian publishers too are expected to come forward to help the National Library as well as other recipient libraries in fulfilling this responsible task., which counts in maintaining the national pride. We value the role of the publishers associations and federations in this regard and expect that, they would motivate their members to fulfill their legal obligations.

Legal Deposit of Publications in the UK

V.Bhuvaneshwari

1. INTRODUCTION

The growth of information is ever increasing. We have moved much ahead from the conventional print media to the latest electronic media to cope with this growth of information. Publishing has undergone an evolution starting from paper through non-print media such as CD-ROMs and now into electronic media. The knowledge stored in these is invaluable to mankind. Until they are preserved by some means they will not reach the generations to come. As per the Official statistics of 2002, in the UK annually 125,930 off-line resources are published; there are 60,000 publishers and 4.630 libraries in the UK and Ireland. The UK government, through legal enforcement, is aiming to preserve these publications in the British Library – the National Library of the UK and the other major collections across England, Scotland, Wales and Ireland.

2. SCOPE OF THIS PAPER

This paper covers in detail the Copyright Act 1911- which enables that one copy of every publication in the UK should be deposited legally to the British Library – and the evolution of this Act into the current Legal Deposit Libraries Act 2003 to cover the scope of the coverage to non-print media such as CD, DVD and even electronic publications. The British Library Legal Deposit office and the Agency for legal Deposit Libraries ensure that the publishers comply with this Act.

LEGAL DEPOSIT OF PUBLICATIONS IN THE UK: A HISTORICAL OVERVIEW

As per the paper submitted by John Byford of the British Library UK, to the 68th IFLA Council and General Conference held in August 2002, England will celebrate four hundred years of legal deposit in 2010. He traces the history of legal deposit in the UK way back to 1610. Sir Thomas Bodley, the scholar and diplomat who had retired in 1597, re-established the Oxford University Library in 1602 and named the Bodleian in his honour. Bodley recognized that for his library to succeed it would need to attract funding from sources other than the University. Not contended with building a library in his lifetime he commenced negotiations with the Stationers' Company and finalized an agreement with them in 1610 whereby they agreed to send the Bodleian a copy of every new book registered at Stationers Hall.

From 1610 till about 1911 there were a number of Acts enforcing the legal deposit to various libraries. The 1836 and 1842 Acts were those which laid the foundations for the 1911 Act – effectively the legislation in operation today. The 1836 Copyright Act reduced the number of libraries entitled to receive legal deposit copies from eleven to five. The 1842 Act's significance is that publishers were obliged to deliver direct to the Museum, without prior demand, i.e. not via the Stationers' Hall; the other copyright libraries had to request items, a procedure which continues to this day.

3. LEGAL DEPOSIT ACTS IN THE UK

3.1. The Copyright Act 1911

Though throughout 18th and 19th century minor changes to the then existing copyright Acts were proposed, occasionally approved, but it was not until 1911 that the last

Copyright Act of significance was passed. As per this Act publishers must deposit with the British Library within one month of publication a copy of all books published in the United Kingdom and Ireland; the five other libraries namely Bodleian Library, Oxford, Cambridge University Library, National Library of Scotland, Library of Trinity College Dublin and National Library of Wales have the right to claim, within twelve months of publication, copies of the same material.

Thus the objectives of the legal deposit are clear. Publications deposited at the British Library are:

- Preserved for the benefit of future generations
- Added to the national heritage
- Made available to users in the Library's reading rooms.

Additionally publications are:

- Recorded in the British Library Public Catalogue accessible over he World Wide Web
- Listed in the British National Bibliography Which is used by librarians and the book trade for stock selection, is available in printed, CD-Rom and online formats, and has a worldwide distribution.

THE LEGAL DEPOSIT OFFICE OF THE BRITISH LIBRARY

Publishers and distributors in the United Kingdom and the Republic of Ireland have a legal obligation to send one copy of each of their publications to the **Legal Deposit Office** of the British Library within one month of publication.

The Agency for the legal deposit libraries acts on behalf of the five libraries to ensure that they receive legal deposit copies of British and Irish publications. The five libraries as mentioned already are:

- Bodleian Library, Oxford
- Cambridge University Library
- National Library of Scotland
- Library of Trinity College Dublin
- National Library of Wales

These libraries are often referred to as copyright libraries or the Legal deposit Libraries, and are entitled to receive, free of charge and inclusive of postage and packing, a copy of every work published in the United Kingdom and Ireland. The Agency for the Legal Deposit Libraries is maintained by the five libraries and named to make requests and accept publications on their behalf. The Agent must claim copies on behalf of the five libraries within twelve months of the date of publication. On receipt of such a request from the Agent, a publisher must supply a copy of each of the requesting Libraries under the terms of the Legal Deposit Libraries Act 2003. Many publishers choose to send five copies of their new publications in anticipation of a claim and the Agent is happy to agree to such arrangements.

3.2. Legal Deposit Libraries Act, 2003

The proliferation of various media of publications such as CDs, DVDs and electronic versions demanded an extended version of the Copyright Act to include these. Over 60,000 non-print items (e.g. DVDs, CD-ROMs, electronic journals and other items delivered via the web) were published in the UK in 2002. A recent study forecasted that the number of electronic journal issues published in the UK would grow from 52,000 in 2002 to 193,000

in 2005. Many publications, such as newspapers are being published in multiple formats - print, web, CD-ROM and microform - but do not always have identical content. Similarly, there are a growing number of hybrid publications, such as print journals with added material available on the web or CD-ROM.

This evolution and growth of the non-print media resulted in the **Legal Deposit Libraries Act 2003.** This Act received Royal Assent on 30 October 2003 to begin on 1 January 2004. The new Act would help the legal deposit libraries to collect and organise the knowledge stored in the online media as well. Thus enabling **the following non-print materials to be saved:**

- Publications accessed over the Internet, e.g. electronic journals.
- Websites - a limited and well-defined range of sites, judged to be research-level, will be regularly harvested for addition to the national archive.
- Publications on media other than paper, such as microfilm or fiche.
- Hand-held' electronic publications on media such as CD-ROM or DVD.

As the Act reads this is an "Act to make provision in place of section 15 of the Copyright Act 1911 relating to the deposit of printed and similar publications, including on and off line publications, to make provision about the use and preservation of material deposited; and for connected purposes".

Mr. Chris Mole, MP who introduced the Bill in 2002 said, "With the new Act, a piece of 'enabling legislation', it will be possible to establish a systematic arrangement for the collection and preservation of non-print publications. These will include CD-ROMs and non-commercial publications, and will include the selective harvesting of information from the 2.96 million websites, which originate in the UK. **The generic nature of the new law means that new formats and information carriers can be included within legal deposit - through Regulations - as they emerge and become widely used".**

FEATURES AND PROVISIONS OF THE LEGAL DEPOSIT LIBRARIES ACT 2003: (AS IN THE ACT)

DEPOSIT OF PUBLICATIONS

1. A person who publishes in the United Kingdom a work of which this Act applies must at his own deliver a copy of it to an address specified by any deposit library entitled to delivery under this section.

2. If a deposit library other than the authority controlling the Library of Trinity College, Dublin has not specified an address, the copy is to be delivered to the library.

3. In the case of a work published in print, this Act applies to-

   a) A book including a pamphlet, magazine or newspaper

   b) A sheet of letterpress or music

   c) A *map, plan,, chart or table and*

   d) A part of any such work

   But that is subject to any prescribed exception

4. In the case of a work published in a medium other than print, this Act applies to a work of a prescribed description.

5. A prescribed description may not include works consisting only of –

   a) A sound recording or film or both or

   b) Such material and other material which is merely incidental to it.

6. Copy of the work to be delivered in the medium in which it is published.

NEW AND ALTERNATIVE EDITIONS

1. This Act does not apply to a work which is substantially the same as one already published in the same medium in the UK

2. Where substantially the same work is published in the UK in more than one medium-

   a) The above section applies only in relation to its publication in one of those media, and

   b) That medium is to be determined in accordance with regulations made by the Secretary of State.

3. The Secretary of State may be regulations make provisions as to circumstances in which works are or are not to be regarded for the purpose of this section as substantially the same.

ENFORCEMENT

When a publisher has failed to comply with that obligation, the library may in accordance with rules of court (or, in Scotland, to the sheriff) for an order requiring the publisher to comply with the obligation.

If on an application as above it appears that –

The publisher is unable to comply with the obligation, or

For any other reason, it is not appropriate to make an order

The court or sheriff may instead make an order requiring the publisher to pay the library an amount, which is not more than the cost of making good the failure to comply.

PRINTED PUBLICATIONS: THE BRITISH LIBRARY

1. The British Library Board is entitled to delivery of a copy of every work published in print.

2. The copy must be delivered within one month beginning with they day of publication.

3. The copy is to be of the same quality as the best copies which, at the time of delivery, have been produced for publication in the UK

4. The Board must give a receipt in writing (whether sent by electronic or other means)

PRINTED PUBLICATIONS: OTHER LIBRARIES

1 Each deposit library other than the British Library Board is entitled to delivery of a copy of any work published in print, which it requests

2. A request under this section must be in writing (whether sent by electronic or other means).

3. A request –

   a) may be made before publication, and

   b) in particular, may relate to all future numbers or parts of an encyclopedia newspaper, magazine or other work

4. No request may be made after the end of 12 months beginning the day of publication

5. The copy must be delivered within one month beginning with-

   (a) the day of publication, or

   (b) if later, the day on which the request is received

6 The copy is to be of the same quality as the largest number of copies which, at the time of delivery, have been produced for publication in the United Kingdom.

REGULATIONS: DEPOSIT OF NON-PRINT PUBLICATIONS

(1) The Secretary of State may make regulations supplementing sections 1 and 2 as they apply to works published in media other than print.

(2) Regulations under this section may in particular

i. make provision about the time at which or the circumstances in which any deposit library becomes or ceases to be entitled to delivery under section 1;

ii. require the person mentioned in section 1(1) to deliver, with the copy of the work, a copy of any computer program and any information necessary in order to access the work, and a copy of any manual and other material that accompanies the work and is made available to the public;

iii. require delivery within a time prescribed by reference to publication or another event;

iv. permit or require delivery by electronic means;

v. where a work is produced for publication in copies of differing quality, specify the quality of copies to be delivered;

vi. where a work is published or made available to the public in different formats, provide for the format in which any copy is to be delivered to be determined in accordance with requirements specified (generally or in a particular case) by the deposit libraries or any of them

vii. make provision as to the circumstances in which works published on line are or are not to be treated as published in the United Kingdom;

viii. specify the medium in which a copy of a work published on line is to be delivered

4. CONCLUSIONS AND RECOMMENDATIONS

According to John Byford, the legal deposit libraries will continue to work with publisher trade bodies to ensure that the national heritage is acquired and preserved for future use – much in the same way as Bodley had planned nearly 400 years ago. The Copyright Act 1911 is very effective in preserving the off-line products. The Act also very clearly states the enforcement of the same and the implications of any infringement. More importantly we should learn from the UK how The British Library plays its role as the legal deposit library.

For example, the existing print legal deposit arrangements have enabled the British Library alone to collect and save, in perpetuity for the nation, more than 50 million items. Once acquiring, the Library stores and catalogues these items and provides facilities for researchers to access them. In this way millions of unrelated items, which form the National Published Archive, are transformed into organised knowledge and secured for posterity.

Through the Legal Deposit Libraries Act 2003, the UK addressed the issue of preserving the non-print media as well. A number of other nations have already addressed, or are investigating, the extension of legal deposit. In Germany new legislation has been drafted to cover all types of material whilst a voluntary scheme to obtain online material and websites - in operation since March 2002 - has been generally well received by publishers and users alike. In France the government has issued a directive to ensure that the national library will collect all electronic material. Norway and Denmark have similar schemes and

are actively collecting digital material in all information carriers, including websites. In Finland legislation was introduced in March 2003 to extend legal deposit to websites (current legislation includes other electronic material) whilst in New Zealand legislation has also been enacted in 2003.

Learning from experience or taking examples from the UK, I strongly suggest that we should move ahead in this direction to preserve our knowledge and expertise for the future generation. Finally I strongly recommend the readers the following paper published by the UNESCO, which suggests guidelines for national libraries both in developing and developed countries on how to prepare proposals for the legal deposit of electronic publications and on how to house and maintain such publications.

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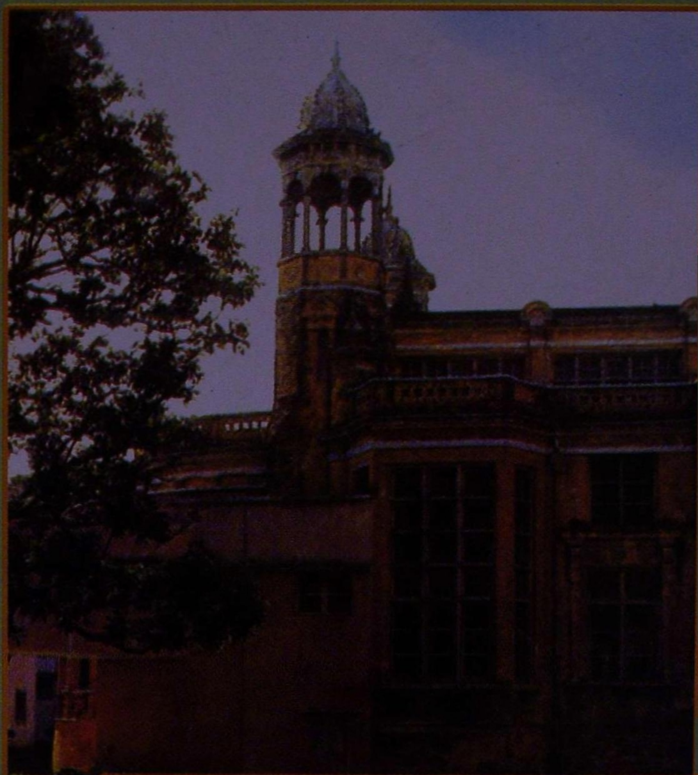
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Connemara Public Library



Old Building

New Building

